

MINIMUM STANDARDS, RULES AND REGULATIONS

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1982

FOR CLASSIFICATION AND LICENSURE OF COMMUNITY LIVING FACILITIES EMERGENCY RULES

EFFECTIVE JANUARY 1, 1982

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MINIMUM STANDARDS, RULES AND REGULATIONS

FOR THE LICENSURE OF

COMMUNITY LIVING FACILITIES

EMERGENCY RULES

Effective January 1, 1982

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FOREWORD

The "Community Living Facilities Licensing Act", (Public Act 82-567) approved August 23, 1979 and effective January 1, 1982, requires community living facilities in Illinois to be licensed. The Department is designated as the State Agency to administer the provisions of the Act. Primary responsibility for administration of this licensing program has been assigned to the Department's Office of Health Regulation, Division of Health Facilities Surveillance.

The minimum standards, rules and regulations published herein shall serve as the basis for licensing Community Living Facilities for Mildly and Moderately Mentally Retarded Mobile Adults. Many agencies, associations, and individuals, both within and outside the Department, have contributed to the preparation of these standards.

The Department currently classifies and licenses several levels of service. This publication contains the licensing standards for Community Living Facilities.

The main purpose of the Act and these regulations is to protect the health, welfare and safety of the residents of all community living facilities through the development and enforcement of standards and regulations for services appropriate to meet their needs. Toward these purposes, the standards regulate the construction, maintenance, and operation of such facilities. A correlative purpose is to contribute, in an educational way, to progress toward higher quality of resident care appropriate to the needs of the persons to be served. Copies of these regulations should be available within the facility, and employees should be familiar with them.

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The Standards have been three-hole punched to fit into a three-ring binder, so that in the future, when revisions are made, it will only be necessary to replace the page(s) containing the revision(s).

Reference numbers are set up in eight digits and coded as follows:

- 81.00.00.00 First two digits identify the Division within these licensing standards.
- 81.01.00.00 Third and fourth digits identify the Section within the Division.
- 81.01.01.00 Fifth and sixth digits identify the paragraph within the Section.
- 81.01.01.01 Seventh and eighth digits identify the sub-paragraph within the paragraph.

Page numbers are a combination of the Division number and the consecutive page number within that Division. The Division number is always listed first, followed by a dash and then the consecutive page number within the Division. For example: page 81-42 would be page 42 of Division 81; 83-5 would be page 5 of Division 83; 89-4 would be page 4 of Division 89; 92-4 would be page 4 of Division 92; 94-4 would be page 4 of Division 94; etc.

This system will allow for pages to be added or deleted as the standards are revised in the future, without affecting the numbering sequence.

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INTRODUCTION

COMMUNITY LIVING FACILITIES FOR MILDLY
AND MODERATELY MENTALLY RETARDED MOBILE ADULTS

A Community Living Facility's basic purpose is to provide guidance and supervision for persons in need of an intermediate transitional type of living arrangement instead of the controlled environment of institutional life and independent living.

Community Living Facilities are for residents emanating from homes which may have become inadequate in meeting their needs or having been discharged recently from public or private facilities. A protected environment is indicated prior to returning to their own homes or leading independent lives.

A Community Living Facility will serve persons who are mobile, eighteen (18) years of age or over, capable, with appropriate training, of self care, and whose basic need for training and guidance is in the area of social and vocational adequacy.

The program within each community living home shall be geared to assist the resident in the development of realistic goals and acceptable attitudes for community living. Each resident will be involved in an educational program, vocational training, sheltered workshop employment, or employment in the open labor market.

Besides the very definite vocational training aspects of the program in Community Living Facilities the program will also focus on assisting the individual in developing adequate social skills so that he may be more socially competent, more fully integrated into the community and receive community acceptance.

Each resident will be involved in practical experience in community living and will be guided in planning and utilizing leisure time and the development of specific community living skills.

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This group living experience also will provide him with an avenue to express his feelings regarding community encounters and work through those experiences which may have been negative, so that he may better handle similar situations in the future.

Residents also will receive guidance in choosing community activities that will provide growth experiences and be helpful after being absorbed into the mainstream of community life.

Inasmuch as there must be an effort to maintain a homelike environment which allows for social integration and intensive informal interaction among residents and houseparents the size of a Community Living Facility is limited to from five (5) to not more than twenty (20) persons per program unit and eighty (80) residents per facility.

Through its direct program and consultive services staff, the community facility provides for:

- 1) the transitional return to the community from institutions
- 2) the possible prevention or delay of placement in an institution,
- 3) a home for developmentally disabled, if they meet program criteria, when the parents are deceased or no longer able to provide for them in their own homes, and,
- 4) training for totally independent living:

Depending on the individual needs of the residents, the community living home program will include, but not be limited to, training in the following:

Personal grooming
Social skills
Communication skills
Management of food, clothing, finances, and transportation
Community services and agency contact
Leisure time activity training

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Within each home, the residents will be responsible for assisting the houseparents in planning household activities. They will participate in various household chores such as grounds maintenance, cleaning their room, and various other areas of housework and home care. They also should participate in shopping for food for the home, as well as the purchase of their own clothing and toiletries. Such activities would be seen as reinforcing the structured program.

The basic tenet, therefore, of the Community Living Facility is "normalcy." Normalcy - for those persons aspiring to move from one lifestyle to another. Hence, the Community Living Facility must, as much as possible, simulate the lifestyle of a normal person living in the same community.

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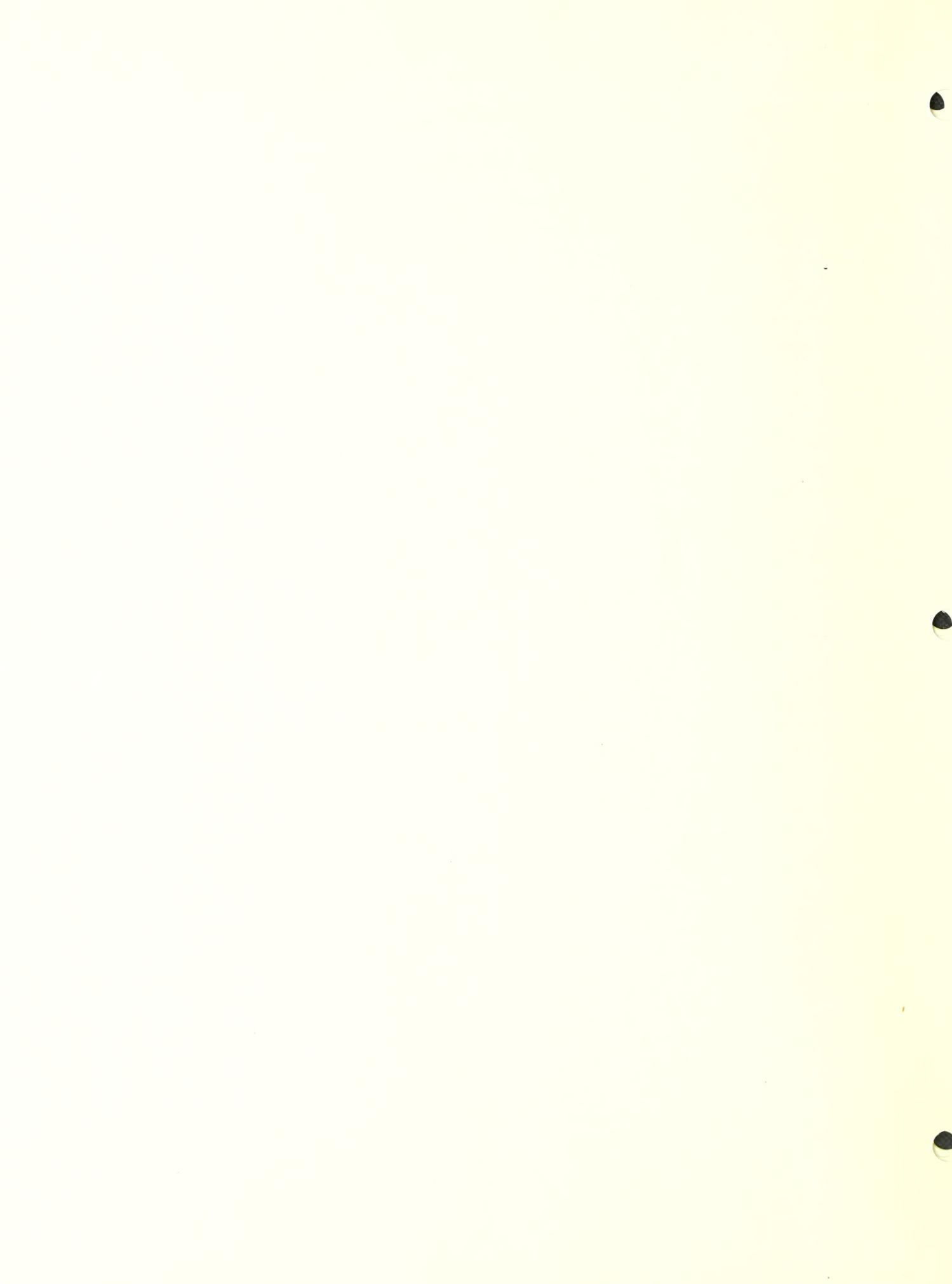
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Division 81

81.01.00.00 Section 1 - General Requirements

81.01.01.00 These Minimum Standards, Rules and Regulations apply to the operator/licensee of facilities, or distinct parts thereof, that are to be licensed and classified to provide community living care.

(filed December 29, 1981, effective January 1, 1982)

81.01.02.00 The license issued to each operator/licensee shall designate the licensee's name, facility name, address, the classification by level of service authorized for that facility, the number of beds authorized for each level, the date the license was issued and the expiration date. Such licenses shall be issued for a period not to exceed one (1) year.

(filed December 29, 1981, effective January 1, 1982)

81.01.03.00 The operator may not admit residents in excess of the licensed capacity of the facility.

(filed December 29, 1981, effective January 1, 1982)

81.01.04.00 A community living facility shall not use in its title or description "Hospital," "Sanitarium," "Sanatorium," "Rehabilitation Center," "Skilled Nursing Facility," or any other word or description in its title or advertisements which indicates that a type of service is provided by the facility which the facility is not licensed to provide or in fact, does not provide.

(filed December 29, 1981, effective January 1, 1982)

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81.01.05.00 The licensee shall give sixty (60) days notice prior to voluntarily closing a facility. Such notice shall be given to the Department, to any residents who must be transferred or discharged, to the resident's representative, and to a member of the resident's family, where practicable. Notice shall state the proposed date of closing and the reason for closing. The licensee shall offer to assist the resident in securing an alternative placement and shall advise the resident on available alternatives. Where the resident is unable to choose an alternate placement and is not under guardianship, the Department shall be notified of the need for relocation assistance. The facility shall comply with all applicable laws and regulations until the date of closing, including those related to transfer or discharge of residents.

(filed December 29, 1981, effective January 1, 1982)

81.02.00.00 Section 2 - Application for License

81.02.01.00 Any person acting individually or jointly with other persons who proposes to build, own, establish, or operate a community living facility, shall submit pre-application information on forms provided by the Department. The Department shall be furnished a written description of the proposed program to be provided, and other such information as it may require. The pre-application form and other required information shall be submitted and approved prior to surveys of the physical plant or review of building plans and specifications.

(filed December 29, 1981, effective January 1, 1982)

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81.02.02.00 Application for a license to establish or operate a community living facility, shall be made in writing and submitted, with other such information as the Department may require, on forms provided by the Department.
(filed December 29, 1981, effective January 1, 1982)

81.02.03.00 All applications shall be accompanied by an application fee of two hundred (\$200) dollars.
(filed December 29, 1981, effective January 1, 1982)

81.02.04.00 The license is not transferable. It is issued to a specific licensee and for a specific location. The license and the valid current renewal certificate immediately becomes void and shall be returned to the Department when the facility is sold, or leased; or when operation is discontinued; or when operation is moved to a new location; or when the licensee (if an individual) dies; or when the licensee (if a corporation or partnership) dissolves or terminates; or when the licensee (whatever the entity) ceases to be.
(filed December 29, 1981, effective January 1, 1982)

81.02.05.00 A license issued to a corporation shall become null, void and of no further effect upon the dissolution of the corporation or loss of license to conduct business in the State of Illinois issued by Illinois Secretary of State if a foreign corporation.
(filed December 29, 1981, effective January 1, 1982)

81.03.00.00 Section 3 - Licensee

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81.03.01.00 The licensee is the corporate body, political subdivision, individual, or individuals responsible for the operation of the facility and upon whom rests the responsibility for meeting the licensing requirements. The licensee does not have to own the building being used.
(filed December 29, 1981, effective January 1, 1982)

81.03.02.00 If the licensee does not own the building, a lease or management agreement between the licensee and the owner of the building is required. A copy of the lease or management agreement shall be furnished to the Department. The Department shall also be provided with a copy of all new lease agreements or any changes to existing agreements within thirty (30) days of the effective date of such changes.
(filed December 29, 1981, effective January 1, 1982)

81.03.03.00 If the licensee is not a corporation or a political subdivision of the State of Illinois, each person responsible for the operation of the facility and upon whom rests the responsibility for meeting the licensing Minimum Standards, Rules and Regulations shall be at least eighteen (18) years of age.
(filed December 29, 1981, effective January 1, 1982)

81.03.04.00 As a condition of the issuance or renewal of the license of a Community Living Facility the applicant or licensee shall have on file with the Department for all entities in the chain of ownership of the facility a copy of the Certificate of Incorporation if a domestic corporation, the Certificate of Incorporation and the Certificate of Authority to conduct business in Illinois if

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a foreign corporation, the signed partnership agreement (if any) if a partnership, the Trust Agreement if a trust and a copy of any lease or management agreement not provided in accordance with 81.03.02.00. The Department shall be provided with a copy of any amendment to these documents within thirty (30) days of the effective date of such amendment.

(filed December 29, 1981, effective January 1, 1982)

81.04.00.00 Section 4 - Issuance of an Initial License for a New Facility

81.04.01.00 Upon receipt and review of an application for a license and inspection of the applicant facility, the Director shall issue a probationary license if the facility is in substantial compliance with the Act and these regulations:

(filed December 29, 1981, effective January 1, 1982)

81.04.02.00 The Department will issue a probationary license for a period of six (6) months from date of issuance.

(filed December 29, 1981, effective January 1, 1982)

81.04.03.00 The Department shall conduct an investigation of the applicant within thirty (30) days of the termination of the probationary license to determine whether or not the applicant then complies. If in compliance, the probationary license will be replaced with a regular license. If not in compliance, the Department will allow the probationary license to expire.

(filed December 29, 1981, effective January 1, 1982)

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81.04.04.00 Prior to actual receipt by the operator of the license certificate, the operator may begin operation upon receipt of written approval by the Department.

(filed December 29, 1981, effective January 1, 1982)

81.05.00.00 Section 5 - Issuance of an Initial License Due to a Change of Ownership

81.05.01.00 Upon receipt and review of an application for a license the Director shall issue a probationary license if the facility is in substantial compliance with the Act and these regulations:

(filed December 29, 1981, effective January 1, 1982)

81.05.02.00 Whenever ownership of a facility is transferred from the person named in a license to any other person, the transferee must obtain a new probationary license. The transferee shall notify the Department of the transfer and apply for a new license at least thirty (30) days prior to final transfer.

(filed December 29, 1981, effective January 1, 1982)

81.05.03.00 The license granted to the transferee shall be subject to any plan of correction submitted by the previous owner and approved by the Department.

(filed December 29, 1981, effective January 1, 1982)

81.05.04.00 The Department will issue a probationary license for a period of six (6) months from date of issuance.

(filed December 29, 1981, effective January 1, 1982)

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81.05.05.00 The Department shall conduct an investigation of the applicant within thirty (30) days of the termination of the probationary license to determine whether or not the applicant then complies. If in compliance, the probationary license will be replaced with a regular license. If not in compliance the Department will allow the probationary license to expire.

(filed December 29, 1981, effective January 1, 1982)

81.05.06.00 The issuance date of the probationary license to the new owner will be the date the last licensure requirement is met as determined by the Department. Prior to actual receipt by the operator of the license certificate, the operator may begin operation upon receipt of written approval by the Department.

(filed December 29, 1981, effective January 1, 1982)

81.06.00.00 Section 6 - Issuance of a Renewal License

81.06.01.00 At least one hundred twenty (120) days, but not more than one hundred fifty (150) days, prior to license expiration, the licensee shall submit an application for renewal of the license in such form and containing such information as the Department requires. If the application is approved, and the facility is in compliance with all other licensure requirements, the license shall be renewed for an additional one year period.

(filed December 29, 1981, effective January 1, 1982)

81.07.00.00 Section 7 - Denial or Revocation

81.07.01.00 A license may be denied or revoked in any case where the Department finds there has been a repeated failure on the part of the facility to comply with the Act, the Minimum Standards promulgated under the Act, or for any of the following reasons:

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81.07.01.01 Cruelty or indifference to residents.

81.07.01.02 Appropriation or conversion of the property of a resident without his written consent or the written consent of his legal guardian.

81.07.01.03 Permitting, aiding, or abetting the commission of any illegal act in the facility.

81.07.01.04 Inability or failure to operate or conduct the facility in accordance with the Act and the Minimum Standards promulgated pursuant thereto.

81.07.01.05 Submits false information either on Department licensure form or during an inspection.

81.07.01.06 Securing the devise or bequest of the property of a resident of a health care facility by undue influence.

81.07.01.07 In the case of an application by an existing licensee for a new or newly-acquired facility, continuing or repeated failure of the applicant to operate any previously licensed facility or facilities in compliance with the provisions of the Act or of the Minimum Standards promulgated pursuant to it.

81.07.01.08 Continuing or repeated failure of an affiliate of the applicant, who was a licensee or affiliate of a licensee who continues to operate a currently licensed facility or repeatedly operated a previously licensed facility in noncompliance with the provisions of the Act or of the Minimum Standards promulgated pursuant to it.

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81.07.01.09 Refusing to allow an inspection to occur.

81.07.01.10 Violates the rights of its residents.

81.07.01.11 Fails to submit or implement a plan of correction within the specified time period.
(filed December 29, 1981, effective January 1, 1982)

81.07.02.00 Notice under this section shall include a clear and concise statement of the violations on which the nonrenewal or revocation is based, the statute or rule violated and notice of the opportunity for a hearing.
(filed December 29, 1981, effective January 1, 1982)

81.07.03.00 If a facility desires to contest the denial or revocation of a license, the facility shall, within fifteen (15) days after receipt of notice under 81.07.02.00 of this Section, notify the Department in writing of its request for a hearing. Upon receipt of the request the Department shall send notice to the facility and hold a hearing.
(filed December 29, 1981, effective January 1, 1982)

81.07.04.00 The effective date of nonrenewal or revocation of a license by the Department shall be any of the following:
(filed December 29, 1981, effective January 1, 1982)

81.07.04.01 Until otherwise ordered by the circuit court, revocation is effective on the date set by the Department in the notice of revocation, or upon final action after hearing.

81.07.04.02 Until otherwise ordered by the circuit court, nonrenewal is effective on the date of expiration of any existing license, or upon final action after hearing.

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81.07.04.03 The Department may extend the effective date of license revocation or expiration in any case in order to permit orderly removal and relocation of residents.

(filed December 29, 1981, effective January 1, 1982)

81.08.00.00 Section 8 - Experimental Program Conflicting With Requirements

81.08.01.00 Any facility desiring to conduct an experimental program or do research which is in conflict with these regulations shall submit a written request to the Department and secure prior approval. The Department will not approve experimental programs which would violate residents' rights under the Act.

(filed December 29, 1981, effective January 1, 1982)

81.09.00.00 Section 9 - Inspections

81.09.01.00 All facilities to which these regulations apply shall be subject to surveys by properly identified personnel of the Department, or by such other properly identified persons, including local health department staff, as the Department may designate. The licensee, or person representing the licensee in the facility, shall afford the representative of the Department every reasonable opportunity for examining the records, the premises, and obtaining information required in administration of the "Community Living Facilities Licensing Act."

(filed December 29, 1981, effective January 1, 1982)

81.10.00.00 Section 10 - Information to Be Made Available to the Public By the Licensee

81.10.01.00 Every facility shall conspicuously post or display in an area of it accessible to residents, employees, and visitors the following:

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81.10.01.01 Its current license;

81.10.01.02 A copy of any order pertaining to the facility issued by the Department or a court; and
(filed December 29, 1981, effective January 1, 1982)

81.10.02.00 A facility shall retain the following for public inspection:

81.10.02.01 A complete copy of every inspection report of the facility received from the Department during the past five (5) years;

81.10.02.02 A copy of every order pertaining to the facility issued by the Department or a court during the past five (5) years;

81.10.02.03 A description of the services provided by the facility and the rates charged for those services and items for which a resident may be separately charged;

81.10.02.04 A copy of the Statement of Ownership required by Section 7-(6) of the "Community Living Facilities Licensing Act";

81.10.02.05 A record of personnel employed or retained by the facility who are licensed, certified or registered by the Department of Registration and Education; and

81.10.02.06 A complete copy of the most recent inspection report of the facility received from the Department.
(filed December 29, 1981, effective January 1, 1982)

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81.11.00.00 Section 11 - Ownership Disclosure

81.11.01.00 As a condition of the issuance or renewal of the license of any facility, the applicant shall file a statement of ownership.
(filed December 29, 1981, effective January 1, 1982).

81.11.02.00 A statement of ownership shall include the following:

81.11.02.01 The name, address, Social Security Number, telephone number, occupation or business activity, business address, business telephone number and the percent of financial interest of the person(s) who is the owner of the legal entity designated as the operator/licensee of the facility which is the subject of the application or license;

81.11.02.02 The name, address, Social Security Number, telephone number, occupation or business activity, business address, business telephone number and the percent of financial interest of the person(s) who is the owner of the legal entity that owns the building in which the operator/licensee is operating the facility which is the subject of the application or license; and

81.11.02.03 The address of any facility, wherever located, owned by the applicant or licensee, if the facility were required to be licensed if it were located in Illinois.
(filed December 29, 1981, effective January 1, 1982)

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81.12.00.00 Section 12 - Waivers.

81.12.01.00 Facilities in violation of standards for existing community living facilities set forth in these Regulations for which a waiver has previously been granted may request a renewal of the waiver of such violation from the Department. A waiver will exempt the facility from departmental enforcement action concerning the waived violation for the duration of the waiver.
(filed December 29, 1981, effective January 1, 1982)

81.12.02.00 Requests for waiver shall be directed to the Chief of the Division of Health Facilities Surveillance where they will be considered on an individual case basis. In granting a waiver, the Division may impose upon the facility such conditions necessary for the protection of the health, welfare and safety of the facility's residents. The conditions imposed may include mandatory means which will provide the effective equivalent of compliance. Any conditions imposed will be incorporated into and become a part of the waiver.
(filed December 29, 1981, effective January 1, 1982)

81.12.03.00 In granting or denying any request for waiver the Division will consider the following:

 81.12.03.01 The health, welfare and safety of the residents;

 81.12.03.02 The licensee's record of compliance with governing statutes and regulations;

 81.12.03.03 The quality of resident care and safety that may be provided if the waiver is granted;

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81.12.03.04 The efforts exerted by the facility to eliminate the violation, and the duration of the violation;

81.12.03.05 Expense

81.12.03.06 Precedent
(filed December 29, 1981, effective January 1, 1982)

81.13.00.00 Section 13 - Municipal Licensing

81.13.01.00 Municipalities which have adopted a licensing ordinance for community living facilities shall adopt these Minimum Standards, Rules and Regulations for Community Living Facilities by reference by complying with Article I, Division 3, of the "Illinois Municipal Code" (Ch. 24, par. 1-3-1 through 1-3-6, Ill. Rev. Stat.).
(filed December 29, 1981, effective January 1, 1982)

81.13.02.00 Municipalities shall issue licenses so that the expiration dates are distributed throughout the calendar year. The month the license expires shall coincide with the date of original licensure of the licensee.
(filed December 29, 1981, effective January 1, 1982)

81.13.03.00 The municipality shall notify the Department within ten (10) days from the date of issuance or denial of a license that the municipal license has been issued or denied. If the license is issued the notice will include the facility name, address, the date of issuance and the number of beds by level of care for which the license was issued. If the license is denied the notice will indicate reason for denial and the current status of licensee's (applicant's) application for municipal license.
(filed December 29, 1981, effective January 1, 1982)

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81.13.04.00 The municipality shall use the same licensing classifications as the Department; and a facility may not be licensed for a different classification by the Department than by the municipality.

(filed December 29, 1981, effective January 1, 1982)

81.13.05.00 The Department and the municipality shall have the right at any time to visit and inspect the premises and personnel of any facility for the purpose of determining whether the applicant or licensee is in compliance with the "Community Living Facilities Licensing Act," these regulations or with the local ordinances which govern the regulation of the facility. The Department may survey any former facility which once held a license to ensure that the facility is not again operating without a license. Municipalities may charge a reasonable license or renewal fee for the regulation of facilities, which fees shall be in addition to the fees paid to the Department.

(filed December 29, 1981, effective January 1, 1982)

81.14.00.00 Section 14 - Alcoholism Treatment Programs In Community Living Facilities

81.14.01.00 Alcoholism treatment programs shall not be established in community living facilities.

(filed December 29, 1981, effective January 1, 1982)

81.15.00.00 Section 15 - Definitions

Each definition is considered to be a separate rule, but they are not given individual numbers because they are listed alphabetically, and numbers would have to be changed each time a new definition was added or deleted.

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The terms defined below are terms that are used in one or more of the sets of licensing standards established by the Department to license various levels of care. Each set of licensing standards contains an identical list of definitions, even though some of them will not be directly applicable to this level of care. They are defined as follows:

Abuse - any physical or mental injury or sexual assault inflicted on a resident other than by accidental means in a facility.

(filed December 29, 1981, effective January 1, 1982)

Access - the right to:

Enter any facility;

Communicate privately and without restriction with any resident who consents to the communication;

Seek consent to communicate privately and without restriction with any resident;

Inspect the clinical and other records of a resident with the express written consent of the resident;

Observe all areas of the facility except the living area of any resident who protests the observation.

(filed December 29, 1981, effective January 1, 1982)

Act - as used in these standards, the "Community Living Facilities Licensing Act."

(filed December 29, 1981, effective January 1, 1982)

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Activity Program - a specific planned program of varied group and individual activities geared to the individual resident's needs and available for a reasonable number of hours each day.

(filed December 29, 1981, effective January 1, 1982)

Adaptive Behavior - the effectiveness or degree with which the individual meets the standards of personal independence and social responsibility expected of his/her age and cultural group.

(filed December 29, 1981, effective January 1, 1982)

Addition - any construction attached to the original building which increases the area or cubic content of the building.

(filed December 29, 1981, effective January 1, 1982)

Adequate - enough in either quantity or quality, as determined by a reasonable person familiar with the professional standards of the subject under review, to meet the needs of the residents of a facility under the particular set of circumstances in existence at the time of review.

(filed December 29, 1981, effective January 1, 1982)

Administrator - the person who is directly responsible for the operation and administration of the facility, irrespective of the assigned title.

(See Licensed Nursing Home Administrator)

(filed December 29, 1981, effective January 1, 1982)

Advocate - a person who represents the rights and interests of an individual as though they were the person's own, in order to realize the rights to which the

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individual is entitled, obtain needed services, and remove barriers to meeting the individual's needs.

(filed December 29, 1981, effective January 1, 1982)

Affiliate means:

With respect to a partnership, each partner thereof.

With respect to a corporation, each officer, director and stockholder thereof.

With respect to a natural person: any person related in the first degree of kinship to that person; each partnership and each partner thereof of which that person or any affiliate of that person is a partner; and each corporation in which that person or any affiliate of that person is an officer, director or stockholder.

(filed December 29, 1981, effective January 1, 1982)

Aide or Orderly - any person providing direct personal care, training and/or habilitation services to residents.

(filed December 29, 1981, effective January 1, 1982)

Alteration - any construction change or modification of an existing building which does not increase the area or cubic content of the building.

(filed December 29, 1981, effective January 1, 1982)

Ambulatory Resident - a person who is physically and mentally capable of walking without assistance, or is physically able with guidance to do so, including the ascent and descent of stairs.

(filed December 29, 1981, effective January 1, 1982)

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Applicant - any person making application for a license.

(filed December 29, 1981, effective January 1, 1982)

Appropriate - term used to indicate that a requirement is to be applied according to the needs of a particular individual or situation.

(filed December 29, 1981, effective January 1, 1982)

Assessment - the use of an objective system with which to evaluate the physical, social, developmental, behavioral, psychosocial, etc., aspects of an individual.

(filed December 29, 1981, effective January 1, 1982)

Audiologist - a person who is certified or is eligible for a certificate of clinical competence in audiology granted by the American Speech and Hearing Association under its requirements in effect on the publication of this provision or meets the educational requirements for certification, and is in the process of accumulating the supervised experience required for certification.

(filed December 29, 1981, effective January 1, 1982)

Autism - 1) A syndrome described as consisting of withdrawal, very inadequate social relationships, exceptional object relationships, language disturbances and monotonously repetitive motor behavior; many children with autism will also be seriously impaired in general intellectual functioning; 2) Mental illness observed in young children characterized by severe withdrawal and inappropriate response to external stimulation.

(filed December 29, 1981, effective January 1, 1982)

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Autoclave - an apparatus for sterilizing by superheated steam under pressure.

(filed December 29, 1981, effective January 1, 1982)

Auxiliary Personnel - all nursing personnel in intermediate care facilities and skilled nursing facilities other than licensed personnel.

(filed December 29, 1981, effective January 1, 1982)

Basement - when used in these regulations means any story or floor level below the main or street floor. Where due to grade difference, there are two levels each qualifying as a street floor, a basement is any floor below the level of the two street floors. Basements shall not be counted in determining the height of a building in stories.

(filed December 29, 1981, effective January 1, 1982)

Behavior Modification - treatment to be used to establish or change behavior patterns.

(filed December 29, 1981, effective January 1, 1982)

Cerebral Palsy - a disorder dating from birth or early infancy, nonprogressive, characterized by examples of aberrations of motor function (paralysis, weakness, incoordination) and often other manifestations of organic brain damage such as sensory disorders, seizures, mental retardation, learning difficulty and behavior disorders.

(filed December 29, 1981, effective January 1, 1982)

Certification - the issuance of a document by the Department to a facility certifying to the fact that the facility complies with applicable statutory and regulatory

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requirements and standards for the purposes of participation as a provider of care and service in a specific Federal or State health program.

(filed December 29, 1981, effective January 1, 1982)

Certification for Title XVIII and XIX - the issuance of a document by the Department to the Department of Health and Human Services or the Department of Public Aid verifying compliance with applicable statutory or regulatory requirements for the purposes of participation as a provider of care and service in a specific Federal or State health program.

(filed December 29, 1981, effective January 1, 1982)

Charge Nurse - a charge nurse is a registered professional nurse or a licensed practical nurse in charge of the nursing activities for a specific unit or floor during a tour of duty.

(filed December 29, 1981, effective January 1, 1982)

Community Alternatives - service programs in the community provided as an alternative to institutionalization.

(filed December 29, 1981, effective January 1, 1982)

Community Living Facility - see Facility, Community Living.

Continuing-Care Contract - a contract through which a facility agrees to supplement all forms of financial support for a resident throughout the remainder of his life.

(filed December 29, 1981, effective January 1, 1982)

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Contract - a binding agreement between a resident or his guardian or if the resident is a minor, his parent and the facility or its agent.

(filed December 29, 1981, effective January 1, 1982)

Conversion - converting a building into an intermediate care facility or skilled nursing facility.

(filed December 29, 1981, effective January 1, 1982)

Corporal Punishment - painful stimuli inflicted directly upon the body.

(filed December 29, 1981, effective January 1, 1982)

Cruelty and Indifference to Welfare of the Resident - failure to provide a resident with the care and supervision he requires; or, the infliction of mental or physical abuse. Examples of physical abuse are restraining a resident, striking, slapping, hitting, or withholding food as punishment. Examples of mental abuse are swearing, threatening and seclusion.

(filed December 29, 1981, effective January 1, 1982)

Dentist - any person licensed by the State of Illinois to practice dentistry, includes persons holding a Temporary Certificate of Registration, as provided in the Dental Practice Act (Ill. Rev. Stat. 1979, Ch. 111, Par. 2202, et seq.).

(filed December 29, 1981, effective January 1, 1982)

Department - as used in these standards means the Illinois Department of Public Health.

(filed December 29, 1981, effective January 1, 1982)

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Developmental Disability - a severe, chronic disability of a person which: a) is attributable to a mental or physical impairment or combination of mental and physical impairments; b) is manifest before age twenty-two (22); c) is likely to continue indefinitely; d) results in substantial functional limitations in three (3) or more of the following areas of major life activities: (1) self-care; (2) receptive and expressive language; (3) learning; (4) mobility; (5) self-direction; (6) capacity for independent living; and (7) economic self-sufficiency; and e) reflects the person's needs for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of life-long or extended duration and individually planned and coordinated.

(filed December 29, 1981, effective January 1, 1982)

Developmentally Disabled - those individuals who have a developmental disability.

(filed December 29, 1981, effective January 1, 1982)

Dietetic Service Supervisor - a person who:
is a qualified dietitian; or

is a graduate of a dietetic technician or dietetic assistant training program, corresponding or classroom, approved by the American Dietetic Association; or

is a graduate of a Department-approved course that provides ninety (90) or more hours of classroom instruction in food service supervision and has had experience as a supervisor in a health care institution, which included consultation from a dietitian; or

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has training and experience in food service supervision and management in a military service equivalent in content to the program in paragraph (2) or (3) of this definition.

(filed December 29, 1981, effective January 1, 1982)

Dietitian - a person who:

is eligible for registration by the American Dietetic Association; or

has a baccalaureate degree with major studies in food and nutrition, dietetics, and food service management, has one (1) year of supervisory experience in the dietetic service of a health care institution, and participates annually in continuing dietetic education.

(filed December 29, 1981, effective January 1, 1982)

Direct Supervision - means that work is performed under the guidance and direction of a supervisor who is responsible for the work, who plans work and methods, who is available on short notice to answer questions and deal with problems that are not strictly routine, who regularly reviews the work performed, and who is accountable for the results.

(filed December 29, 1981, effective January 1, 1982)

Director - the Director of Public Health or his designee.

(filed December 29, 1981, effective January 1, 1982)

Director of Nursing Service - the full-time Professional Registered Nurse who is directly responsible for the immediate supervision of the nursing services.

(filed December 29, 1981, effective January 1, 1982)

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Discharge - the full release of any resident from a facility.

(filed December 29, 1981, effective January 1, 1982)

Distinct Part - an entire, physically identifiable unit consisting of all of the beds within that unit and having facilities meeting the standards applicable to the levels of service to be provided. Staff and services for a distinct part are established as set forth in the respective regulations governing the levels of services approved for the distinct part.

(filed December 29, 1981, effective January 1, 1982)

Emergency - a situation, physical condition or one or more practices, methods or operations which present imminent danger of death or serious physical or mental harm to residents of a facility.

(filed December 29, 1981, effective January 1, 1982)

Epilepsy - a chronic symptom of cerebral dysfunction, characterized by recurrent attacks, involving changes in the state of consciousness, sudden in onset, and of brief duration. Many attacks are accompanied by a seizure in which the person falls involuntarily.

(filed December 29, 1981, effective January 1, 1982)

Equivalent of a Graduate Licensed Practical Nurse - a licensed practical nurse, licensed by waiver who successfully passes the proficiency examination approved by the U.S. Department of Health and Human Services shall be considered the equivalent of a licensed practical nurse who is a graduate of an approved school of practical nursing for the purposes of these standards.

(filed December 29, 1981, effective January 1, 1982)

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Existing Community Living Facility - a community living facility which was in operation or under construction for the purpose of operating as a community living facility prior to March 1, 1980 and has been in operation without interruption of such services since first beginning such operation.

(filed December 29, 1981, effective January 1, 1982)

Existing Intermediate Care Facility - an intermediate care facility which was in operation or under construction for the purpose of operating as a nursing home, sheltered care home, or a home for the aged prior to March 1, 1980 and has been in operation without interruption of such service since a license was first issued for the location subsequent to that date.

(filed December 29, 1981, effective January 1, 1982)

Existing Intermediate Care Facility for the Developmentally Disabled - a facility which was in operation or under construction for the purpose of operating as an intermediate care facility for the developmentally disabled prior to March 1, 1980 and has been in operation without interruption of such service since a license was first issued for the location subsequent to that date.

(filed December 29, 1981, effective January 1, 1982)

Existing Long-Term Care Facility for Residents Under Twenty-Two (22) Years of Age - a facility which was in operation or under construction for the purpose of operating as a Long-Term Care Facility for residents under twenty-two (22) years of age prior to March 1, 1980 and has been in operation without interruption of such service since a license was first issued for the location subsequent to that date.

(filed December 29, 1981, effective January 1, 1982)

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Existing Skilled Nursing Facility - a skilled nursing facility which was in operation or under construction for the purpose of operating as a nursing home or home for the aged infirmary prior to March 1, 1980 and has been in operation without interruption of such service since first beginning such operation.

(filed December 29, 1981, effective January 1, 1982)

Facility, Community Living - a place of residence as limited in these standards for between five (5) and eighty (80) ambulatory adults who are mildly or moderately mentally retarded with a potential for being absorbed into the mainstream of community life.

(filed December 29, 1981, effective January 1, 1982)

Facility, Intermediate Care - a facility which provides basic nursing care and other restorative services under periodic medical direction. Many of these services may require skill in administration. Such facilities are for residents who have long-term illnesses or disabilities which may have reached a relatively stable plateau.

(filed December 29, 1981, effective January 1, 1982)

Facility, Intermediate Care for the Developmentally Disabled - when used in these standards is a facility of three (3) or more persons, or distinct part thereof, serving residents of which more than fifty (50) percent are developmentally disabled. Facilities with any number less than fifty (50) percent of developmentally disabled residents, who are determined by the Department with consultation from the Division of Developmental Disabilities,

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Illinois Department of Mental Health and Developmental Disabilities to need organized social support and training programs, must comply with the program requirements in these Minimum Standards, Rules and Regulations.

(filed December 29, 1981, effective January 1, 1982)

Facility or Long-Term Care Facility - a private home, institution, building, residence, or any other place, whether operated for profit or not, or a county home for the infirm and chronically ill operated pursuant to "The County Home Act," as now or hereafter amended, or by a county pursuant to "An Act in relation to homes for the aged," approved July 21, 1959 (Ill. Rev. Stat. 1979, Ch. 34, Par. 3566 et seq.) as now or hereafter amended, or any similar institution operated by a political subdivision of the State of Illinois, which provides, through its ownership or management, personal care, sheltered care or nursing for three (3) or more persons, not related to the applicant or owner by blood or marriage. It includes skilled nursing facilities and intermediate care facilities as those terms are defined in Title XVIII and Title XIX of the Federal Social Security Act (42 USCA Par. 1395 et seq. 1936 et seq.). "Facility" does not include the following:

A home, institution, or other place operated by the federal government or agency thereof, or by the State of Illinois;

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A hospital, sanitarium, or other institution whose principal activity or business is the diagnosis, care, and treatment of human illness through the maintenance and operation as organized facilities therefor, which is required to be licensed under the "Hospital Licensing Act" (Ill. Rev. Stat. 1979, Ch. 111 1/2, Par. 142, et seq.) as now or hereafter amended; or

Any "facility for child care" as defined in the "Child Care Act of 1969" (Ill. Rev. Stat. 1979, Ch. 23, Par. 2211 et seq.) as now or hereafter amended.

(filed December 29, 1981, effective January 1, 1982)

Facility, Skilled Nursing - when used in these regulations is synonymous with a skilled nursing facility. A skilled nursing facility provides skilled nursing care, continuous skilled nursing observations, restorative nursing, and other services under professional direction with frequent medical supervision. Such facilities are provided for patients who need the type of care and treatment required during the post acute phase of illness or during reoccurrences of symptoms in long-term illness.

(filed December 29, 1981, effective January 1, 1982)

Financial Responsibility - sufficient assets to provide adequate services such as: staff, heat, laundry, foods, supplies, and utilities for at least a two (2) month period of time.

(filed December 29, 1981, effective January 1, 1982)

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Goal - an expected result or condition that involves a relatively long period of time to achieve, that is specified in behavioral terms in a statement of relatively broad scope, and that provides guidance in establishing specific, short-term objectives directed toward its attainment.

(filed December 29, 1981, effective January 1, 1982)

Governing Body - the policy-making authority, whether an individual or a group, that exercises general direction over the affairs of a facility and establishes policies concerning its operation and the welfare of the individuals it serves.

(filed December 29, 1981, effective January 1, 1982)

Guardian - a person appointed as a guardian of the person or guardian of the estate, or both, of a resident under the "Probate Act of 1975" (Ill. Rev. Stat. 1979, Ch. 110 1/2, Par. 1-1 et seq.) as now or hereafter amended.

(filed December 29, 1981, effective January 2, 1982)

Habilitation - an effort directed toward the alleviation of a disability or toward increasing a person's level of physical, mental, social or economic functioning. Habilitation may include, but is not limited to, diagnosis, evaluation, medical services, residential care, day care, special living arrangements, training, education, sheltered employment, protective services, counseling and other services.

(filed December 29, 1981, effective January 1, 1982)

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Health Services Supervisor - (Director of Nursing Service) the full-time Registered Nurse, or Licensed Practical Nurse, who is directly responsible for the immediate supervision of the health services in an Intermediate Care Facility.

(filed December 29, 1981, effective January 1, 1982)

Home for the Aged - any facility

which is operated by: (1) a not for profit corporation incorporated under, or qualified as a foreign corporation under, the "General Not For Profit Corporation Act" approved July 17, 1943 as heretofore or hereafter amended (Ill. Rev. Stat. 1979, Ch. 32, Par. 163a et. seq.); or, (2) by a county pursuant to "An Act in Relation to Homes For The Aged," approved July 21, 1959 as heretofore or hereafter amended (Ill. Rev. Stat. 1979, Ch. 34, Par. 3561 et. seq.); or, (3) pursuant to a trust or endowment established for nonprofit, charitable purposes; and

which provides maintenance, personal care, nursing or sheltered care to three (3) or more residents, ninety percent of whom are sixty (60) or more years of age.

(filed December 29, 1981, effective January 1, 1982)

Hospitalization - the care and treatment of a person in a hospital as an in-patient.

(filed December 29, 1981, effective January 1, 1982)

House Manager - a qualified person on duty forty (40) hours a week managing the Community Living Facility and responsible for its operation and its inhabitants.

(filed December 29, 1981, effective January 1, 1982)

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Individual Educational Program (IEP) - a written statement for each resident that provides for specific education and related services. The Individual Educational Program may be incorporated into the Individual Habilitation Plan (IHP).

(filed December 29, 1981, effective January 1, 1982)

Individual Habilitation Plan (IHP) - a total plan of care that is developed by the interdisciplinary team for each resident, and that is developed on the basis of all assessment results.

(filed December 29, 1981, effective January 1, 1982)

Institutional Occupancy - when used in these regulations means Health Care Facilities, Group (a), as defined in Chapter 10, paragraph 10-0001 of the Life Safety Code, National Fire Protection Association (1967 Edition).

(filed December 29, 1981, effective January 1, 1982)

Interdisciplinary Team - a group of persons that represents those professions, disciplines, or service areas that are relevant to identifying an individual's needs, and designs a program to meet those needs. This team shall include at least a physician, a social worker and other professionals. In ICF/DD's at least one member of the team shall be a Qualified Mental Retardation Professional.

(filed December 29, 1981, effective January 1, 1982)

Licensed Nursing Home Administrator - a person who is charged with the general administration and supervision of a facility and licensed under the "Nursing Home Administrators Licensing Act," as now or hereafter amended.

(filed December 29, 1981, effective January 1, 1982)

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Licensed Practical Nurse - a person with a valid Illinois license to practice as a practical nurse.

(filed December 29, 1981, effective January 1, 1982)

Licensee - in the case of a licensee who is an individual means the individual, and in the case of a licensee who is a corporation, partnership, or association, means the corporation, partnership, or association. The licensee is the person or legal entity to whom the license is issued to operate the facility and upon whom rests the responsibility of complying with licensing standards.

(filed December 29, 1981, effective January 1, 1982)

Life-Care Contract - a contract through which a facility agrees to provide maintenance and care for a resident throughout the remainder of his life.

(filed December 29, 1981, effective January 1, 1982)

Maintenance - food, shelter, and laundry services.

(filed December 29, 1981, effective January 1, 1982)

Maladaptive Behavior - impairment in adaptive behavior as determined by a clinical psychologist or by a physician. Impaired adaptive behavior may be reflected in delayed maturation, reduced learning ability or inadequate social adjustment.

(filed December 29, 1981, effective January 1, 1982)

Medical Record Practitioner - a person who: is eligible for certification as a registered record administrator (RRA) or an accredited record technician (ART), by the American Medical Record Association under

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its requirements; or is a graduate of a school of medical record science that is accredited jointly by the American Medical Association and the American Medical Record Association.

(filed December 29, 1981, effective January 1, 1982)

Mentally Retarded and Mental Retardation - subaverage general intellectual functioning originating during the developmental period and associated with maladaptive behavior.

(filed December 29, 1981, effective January 1, 1982)

Misappropriation of Property - using a resident's cash, clothing, or other possessions without authorization by the resident or the resident's authorized representative; failure to return valuables after a resident's discharge; or failure to refund money after death or discharge when there is an unused balance in the resident's personal account.

(filed December 29, 1981, effective January 1, 1982)

Mobile Nonambulatory - unable to walk independently or without assistance, but able to move from place to place with the use of devices such as walkers, crutches, wheelchairs, wheeled platforms, and so forth.

(filed December 29, 1981, effective January 1, 1982)

Mobile Resident - any resident who is able to move about either independently or with the aid of assistive devices such as walkers, crutches, wheelchairs, wheeled platforms, and so forth.

(filed December 29, 1981, effective January 1, 1982)

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Monitor - a qualified person placed in a facility by the Department to observe operations of the facility, assist the facility by advising it on how to comply with the State regulations, and who reports periodically to the Department on the operations of the facility.

(filed December 29, 1981, effective January 1, 1982)

Neglect - a failure in a facility to provide adequate medical or personal care or maintenance, which failure results in physical or mental injury to a resident or in the deterioration of a resident's physical or mental condition.

(filed December 29, 1981, effective January 1, 1982)

New Construction - a new building or addition to, or conversion of a building, with construction starting after March 1, 1980, which meets the design and construction standards for intermediate care facilities or skilled nursing facilities.

(filed December 29, 1981, effective January 1, 1982)

Normalization - the principle of helping individuals to obtain an existence as close to normal as possible, by making available to them patterns and conditions of everyday life that are as close as possible to the norms and patterns of the mainstream of society.

(filed December 29, 1981, effective January 1, 1982)

Nurse - a registered nurse or a licensed practical nurse as defined in "The Illinois Nursing Act" (Ill. Rev. Stat. 1979, Ch. 111, Par. 3401 et seq.) as now or hereafter amended.

(filed December 29, 1981, effective January 1, 1982)

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Nursing Care - a complex of activities which carries out the diagnostic, therapeutic, and rehabilitative plan as prescribed by the physician; care for the resident's environment; observing symptoms and reactions and taking necessary measures to carry out nursing procedures involving understanding of cause and effect in order to safeguard life and health.

(filed December 29, 1981, effective January 1, 1982)

Nursing Unit - a physically identifiable distinct part of a facility consisting of all the beds within the distinct part, but having no more than seventy-five (75) beds, none of which are more than one-hundred twenty (120) feet from the nurse's station.

(filed December 29, 1981, effective January 1, 1982)

Objective - an expected result or condition that involves a relatively short period of time to achieve, that is specified in behavioral terms, and that is related to the achievement of a goal.

(filed December 29, 1981, effective January 1, 1982)

Occupational Therapist, Registered (OTR) - a person who: is a graduate of an occupational therapy curriculum accredited jointly by the Council on Medical Education of the American Medical Association and the American Occupational Therapy Association; or is eligible for certification by the American Occupational Therapy Association.

(filed December 29, 1981, effective January 1, 1982)

Occupational Therapy Assistant - a person who is eligible for certification as a certified occupational therapy assistant (COTA) by the American Occupational Therapy Association.

(filed December 29, 1981, effective January 1, 1982)

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Operator - the person responsible for the control, maintenance and governance of the facility, its personnel and physical plant.

(filed December 29, 1981, effective January 1, 1982)

Oversight - general watchfulness and appropriate action to meet the total needs of the residents, exclusive of nursing or personal care. Oversight shall include, but is not limited to, social, recreational and employment opportunities for residents who, by reason of mental disability, or in the opinion of a licensed physician, are in need of residential care.

(filed December 29, 1981, effective January 1, 1982)

Owner - the individual, partnership, corporation, association or other person who owns a facility. In the event a facility is operated by a person who leases the physical plant, which is owned by another person, "owner" means the person who operates the facility, except that if the person who owns the physical plant is an affiliate of the person who operates the facility and has significant control over the day-to-day operations of the facility, the person who owns the physical plant shall incur jointly and severally with the owner all liabilities imposed on an owner under the Act.

(filed December 29, 1981, effective January 1, 1982)

Person - any individual, partnership, corporation, association, municipality, political subdivision, trust, estate or other legal entity whatsoever.

(filed December 29, 1981, effective January 1, 1982)

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Person in Need of Mental Treatment - any person who is mentally ill and who, because of his/her illness, is reasonably expected to inflict serious physical harm upon himself/herself or another in the near future or is unable to provide for his/her basic physical needs so as to guard himself/herself from serious harm.

(filed December 29, 1981, effective January 1, 1982)

Personal Care - assistance with meals, dressing, movement, bathing, or other personal needs, or general supervision and oversight of the physical and mental well-being of an individual, exclusive of nursing, who because of age, physical or mental disability, emotional or behavior disorder, or mental retardation is incapable of maintaining a private, independent residence, or who is incapable of managing his/her person whether or not a guardian has been appointed.

(filed December 29, 1981, effective January 1, 1982)

Pharmacist, Registered - a person who holds a certificate of registration as a registered pharmacist, a local registered pharmacist or a registered assistant pharmacist under the Pharmacy Practice Act (Ill. Rev. Stat. 1979, Ch. 111, Par. 4002 et seq.).

(filed December 29, 1981, effective January 1, 1982)

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Physical Therapy Assistant - a person who has graduated from a two (2) year college level program approved by the American Physical Therapy Association.

(filed December 29, 1981, effective January 1, 1982)

Physical Therapist - a person who is registered with the Department of Registration and Education as a physical therapist under the Illinois Physical Therapy Registration Act, and has graduated from a physical therapy curriculum approved by the American Physical Therapy Association, or by the Council on Medical Education and Hospitals of the American Medical Association, or jointly by the Council on Medical Education of the American Medical Association and the American Physical Therapy Association.

(filed December 29, 1981, effective January 1, 1982)

Physician - any person licensed by the State of Illinois to practice medicine in all its branches as provided in the "Illinois Medical Practice Act" (Ill. Rev. Stat. 1979, Ch. 111, Par. 4401 et seq.).

(filed December 29, 1981, effective January 1, 1982)

Probationary License - an initial license issued for a period of one hundred twenty (120) days during which time the Department will determine the qualifications of the applicant.

(filed December 29, 1981, effective January 1, 1982)

Program Coordinator - a qualified person directly responsible for the overall program, operation and management of a Community Living Facility.

(filed December 29, 1981, effective January 1, 1982)

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Psychiatrist - a physician who has had at least three (3) years of formal training or primary experience in the diagnosis and treatment of mental illness.

(filed December 29, 1981, effective January 1, 1982)

Psychologist - a person who is registered with the Illinois Department of Registration and Education to practice clinical psychology.

(filed December 29, 1981, effective January 1, 1982)

Qualified Mental Retardation Professional - a person who is:

- . an educator with a degree in education from an accredited program and with specialized training or one (1) year of experience in working with the mentally retarded.
- . a physical or occupational therapist who has specialized training or one (1) year of experience in treating the mentally retarded.
- . a physician licensed by the State of Illinois to practice medicine or osteopathy and with specialized training or one (1) year of experience in treating the mentally retarded.
- . a psychologist with at least a Master's Degree from an accredited program and with specialized training or one (1) year of experience in treating the mentally retarded.

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- . a registered nurse with a valid current Illinois registration to practice as a registered professional nurse who has specialized training or one (1) year of experience in treating the mentally retarded.
- . a speech pathologist or audiologist who has specialized training or one (1) year of experience in treating the mentally retarded.
- . a registered social worker with a Bachelor's Degree in social work from an accredited program, or a Bachelor's Degree in a field other than social work and at least three (3) years social work experience under the supervision of a qualified social worker, and with specialized training or with one (1) year of experience in working with the mentally retarded.
- . a therapeutic recreation specialist who is a graduate of an accredited program and eligible for registration in the National Therapeutic Recreation Society, and who has specialized training or one (1) year experience in working with the mentally retarded.
- . a rehabilitation counselor who is certified by the Commission on Rehabilitation Counselor Certification and who has specialized training or one (1) year of experience in treating the mentally retarded.

(filed December 29, 1981, effective January 1, 1982)

Reasonable visiting hours - any time between the hours of 10 a.m. and 8 p.m. daily.

(filed December 29, 1981, effective January 1, 1982)

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Registered Nurse - a person with a valid Illinois registration to practice as a registered professional nurse.

(filed December 29, 1981, effective January 1, 1982)

Reputable Moral Character - having no history of a conviction of the applicant, or if the applicant is a firm, partnership, or association, of any of its members, or of a corporation, of any of its officers, or directors, or of the person designated to manage or supervise the facility, of a felony, or of two (2) or more misdemeanors involving moral turpitude, as shown by a certified copy of the record of the court of conviction, or in the case of the conviction of a misdemeanor by a court not of record, as shown by other evidence; or other satisfactory evidence that the moral character of the applicant, or manager, or supervisor of the facility is not reputable.

(filed December 29, 1981, effective January 1, 1982)

Resident - person residing in and receiving personal care from a facility.

(filed December 29, 1981, effective January 1, 1982)

Resident Services Director - the full-time administrator, or an individual on the professional staff in the facility, who is directly responsible for the coordination and monitoring of the residents' overall plans of care in an intermediate care facility.

(filed December 29, 1981, effective January 1, 1982)

Resident's Representative - a person other than the owner, or an agent or employee of a facility not related to the resident, designated in writing by a resident to be his representative, or the resident's guardian, or the parent of a minor resident for whom no guardian has been appointed.

(filed December 29, 1981, effective January 1, 1982)

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Restorative Care - a health care process designed to assist residents to attain and maintain the highest degree of function of which they are capable (physical, mental, and social).

(filed December 29, 1981, effective January 1, 1982)

Restraint of a Resident - the application of a device to limit movements.

(filed December 29, 1981, effective January 1, 1982)

Room - a part of the inside of a facility that is partitioned continuously from floor to ceiling with openings closed with glass or hinged doors.

(filed December 29, 1981, effective January 1, 1982)

Safety Device - any equipment or protective device used on a bed, chair, or resident which prevents him from falling or otherwise injuring himself. Examples are: bedside rails, geriatric and/or adaptive chairs, a wide band (minimum width six (6) inches), vest or sheet applied to prevent falling out of a bed or chair, and hand socks applied to prevent injuring one's self.

(filed December 29, 1981, effective January 1, 1982)

Satisfactory - same as Adequate.

(filed December 29, 1981, effective January 1, 1982)

Seclusion - the retention of a resident in a room which he cannot open.

(filed December 29, 1981, effective January 1, 1982)

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Self Preservation - the ability to follow directions and/or recognize impending danger or emergency situations and react by avoiding or leaving the unsafe area.

(filed December 29, 1981, effective January 1, 1982)

Sheltered care - maintenance and personal care.

(filed December 29, 1981, effective January 1, 1982)

Social Worker, Qualified - a person who:

is licensed by the State of Illinois (registered or certified by the Illinois Department of Registration and Education); and

is a graduate of a school of social work which has been approved by the Council on Social Work Education (some schools are approved for Bachelor's Degree programs and others for Master's Degree programs); and

has one (1) year of social work experience in a health care setting.

(filed December 29, 1981, effective January 1, 1982)

State Fire Marshal - the Fire Marshal of the Office of the State Fire Marshal, Division of Fire Prevention.

(filed December 29, 1981, effective January 1, 1982)

Sterilization - the act or process of destroying completely all forms of microbial life, including viruses.

(filed December 29, 1981, effective January 1, 1982)

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Stockholder of a corporation - any person who, directly or indirectly, beneficially owns, holds or has the power to vote, at least 5% of any class of securities issued by the corporation.

(filed December 29, 1981, effective January 1, 1982)

Story - when used in these regulations means that portion of a building between the upper surface of any floor and the upper surface of the floor above except that the topmost story shall be the portion of a building between the upper surface of the topmost floor and the upper surface of the roof above.

(filed December 29, 1981, effective January 1, 1982)

Sufficient - same as Adequate

(filed December 29, 1981, effective January 1, 1982)

Supervision - authoritative procedural guidance by a qualified person for the accomplishment of a function or activity within his/her sphere of competence, with initial direction and periodic inspection of the actual act of accomplishing the function or activity. Unless otherwise stated in regulations, the supervisor must be on the premises if the person does not meet assistant level (two (2) year training program) qualifications specified in these definitions.

(filed December 29, 1981, effective January 1, 1982)

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Therapeutic Recreation Specialist - a person who is registered with the National Therapeutic Recreation Society and who meets the minimum standards it has established for classification as a Therapeutic Recreation Specialist.

(filed December 29, 1981, effective January 1, 1982)

Time Out - time out from positive reinforcement, a behavior modification procedure in which, contingent upon the emission of undesired behavior, the resident is removed from the situation that affords gratification to the resident.

(filed December 29, 1981, effective January 1, 1982)

Title XVIII - Title XVIII of the Federal Social Security Act as now or hereafter amended.

(filed December 29, 1981, effective January 1, 1982)

Title XIX - Title XIX of the Federal Social Security Act as now or hereafter amended.

(filed December 29, 1981, effective January 1, 1982)

Transfer - a change in status of a resident's living arrangements from one facility to another facility.

(filed December 29, 1981, effective January 1, 1982)

Type A Violation - a violation of the Act or of the rules promulgated thereunder which creates a condition or occurrence relating to the operation and maintenance of a facility presenting a substantial probability that death or serious mental or physical harm to a resident will result therefrom.

(filed December 29, 1981, effective January 1, 1982)

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Type B Violation - a violation of the Act or of the rules promulgated thereunder which creates a condition or occurrence relating to the operation and maintenance of a facility directly threatening to the health, safety or welfare of a resident.

(filed December 29, 1981, effective January 1, 1982)

Type C Violation - a violation of the Act or of the rules promulgated thereunder which creates a condition or occurrence relating to the operation and maintenance of a facility which indirectly threatens the health, safety or welfare of a resident.

(filed December 29, 1981, effective January 1, 1982)

Unit - an entire physically identifiable residence area, in Community Living Facilities consisting of not less than five (5) nor more than twenty (20) beds, and having facilities meeting the standards applicable to the levels of service to be provided. Staff and services for each distinct resident area are established as set forth in the respective regulations governing the approved levels of service.

(filed December 29, 1981, effective January 1, 1982)

Universal Progress Notes - a common record with periodic narrative documentation by all persons involved in resident care.

(filed December 29, 1981, effective January 1, 1982)

Utensil Sanitizer - an apparatus for sanitizing unwrapped, bulky type utensils by using boiling water and steam heat not under pressure.

(filed December 29, 1981, effective January 1, 1982)

Valid License - a license which is unsuspended, unrevoked and unexpired.

(filed December 29, 1981, effective January 1, 1982)

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DIVISION 82 - ADMINISTRATION

82.01.00.00

Section 1 - Administration

82.01.01.00

There shall be a qualified program coordinator directly responsible for the overall operation, program and management of a Community Living Facility. This person shall be a college graduate, at least twenty-one (21) years of age with training and experience as determined appropriate by the Department, in consultation with the Illinois Department of Mental Health and Developmental Disabilities. Appropriate experience is one year's experience working with the developmentally disabled. This person may also be the house manager in a small facility.

(filed December 29, 1981, effective January 1, 1982)

82.01.02.00

There shall be a qualified house manager on duty forty (40) hours a week who shall be responsible for the operation of the facility and its inhabitants. This house manager must delegate this responsibility to another staff person, in his absence, as supervisory responsibility must extend throughout each 24-hour period. This person(s) shall be a high school graduate or equivalent, at least twenty-one (21) years of age, with training and experience as determined appropriate by the Department, in consultation with the Illinois Department of Mental Health and Developmental Disabilities.

(filed December 29, 1981, effective January 1, 1982)

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82.01.03.00 The program coordinator and house manager shall be of reputable and moral character, in good physical and mental health, have an understanding of the needs of the residents, have the ability to establish a program to meet their needs, and be capable of directing and supervising persons working and residing in the facility.
(filed December 29, 1981, effective January 1, 1982)

82.01.04.00 The program coordinator shall delegate adequate authority to the house manager. Such administrative assignment shall not interfere with the supervision of the program for the residents.
(filed December 29, 1981, effective January 1, 1982)

82.01.05.00 The licensee, program coordinator and house manager shall be familiar with the regulations. They shall be responsible for seeing that the applicable regulations are met in the facility and that employees are familiar with those regulations according to the level of their responsibilities.
(filed December 29, 1981, effective January 1, 1982)

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DIVISION 83 - POLICIES

83.01.00.00 Section 1 - Social and Vocational Training Program Policies

83.01.01.00 The facility shall have written policies which shall be formulated with the involvement of the program coordinator and appropriate staff, and which shall be reviewed at least annually. These written policies shall include at a minimum the following provisions:

83.01.01.01 Admission, transfer and discharge of residents including persons accepted and not accepted.

83.01.01.02 Resident services including social and vocational services and programs, and health maintenance and emergency services available to residents from community sources.

 (filed December 29, 1981, effective January 1, 1982)

83.02.00.00 All the policies and information required in them shall be available for review by the Department and/or Department of Mental Health and Developmental Disabilities personnel.

 (filed December 29, 1981, effective January 1, 1982)

83.02.00.00 Section 2 - Admission and Discharge Policies

 These written policies shall include at a minimum the following provisions:

83.02.01.00 Only a person shall be admitted to, or reside in a facility, who by appropriate evaluation has been determined to have a reasonable potential for returning to his own home or leading an independent life.

 (filed December 29, 1981, effective January 1, 1982)

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83.02.02.00 No person requiring prenatal or maternity care may be admitted to, nor shall reside in, a facility unless adequate prenatal and other medical services from community sources are available to her.
(filed December 29, 1981, effective January 1, 1982)

83.02.03.00 No person shall be admitted to, nor reside in a facility:

83.02.03.01 Who requires mental treatment as defined in the "Illinois Mental Health Code." (Ill. Rev. Stat., Ch. 91 1/2, Sec 1-100 thru 6-107). (See definition of "Person in Need of Mental Treatment" in Division 81, Section 23.)

83.02.03.02 Who is destructive of property or oneself.

83.02.03.03 Who has serious mental or emotional problems based on medical diagnosis.

83.02.03.04 Who is less than eighteen (18) years of age.

83.02.03.05 Who is physically and mentally incapable of walking and caring for oneself without the physical assistance of another person.

83.02.03.06 Who is in need of nursing care or more personal care than oversight and supervision.
(filed December 29, 1981, effective January 1, 1982)

83.02.04.00 A facility shall not admit more residents than the number authorized by the license issued to it.
(filed December 29, 1981, effective January 1, 1982)

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83.02.05.00 A facility shall not refuse to discharge or transfer a resident when requested to do so by the resident himself/herself or, if incompetent, by the resident's guardian.
(filed December 29, 1981, effective January 1, 1982)

83.02.06.00 No person shall be admitted with a communicable disease, including active tuberculosis.
(filed December 29, 1981, effective January 1, 1982)

83.03.00.00 Section 3 - Agreement Between Resident and Facility

83.03.01.00 A written agreement shall be established annually between each resident or legal guardian, and the facility briefly stating the programs and services to be provided, facility house rules, and mutual financial responsibilities.
(filed December 29, 1981, effective January 1, 1982)

83.04.00.00 Section 4 - General policies

83.04.01.00 The facility shall permit daily visiting at reasonable times during the day and evening.
(filed December 29, 1981, effective January 1, 1982)

83.04.02.00 Residents occupying any bedroom shall be of the same sex except in the case of a room occupied by husband and wife.
(filed December 29, 1981, effective January 1, 1982)

83.04.03.00 There shall be no resident traffic through a resident's bedroom by residents of another bedroom to reach any other area of the facility.
(filed December 29, 1981, effective January 1, 1982)

83.05.00.00 Section 5 - Personnel Policies

83.05.01.00 There shall be written personnel policies that shall include, but are not limited to, the following:

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83.05.01.01 Employment

- (a) Employment application forms shall be completed on each employee, kept on file in the facility, and shall be available to Department personnel for review. Application forms shall also be available to Department of Mental Health personnel for program evaluation purposes. These forms shall contain date of employment, age or birthdate, home address, educational background, past experience including types of employment, where previously employed, type of position to be filled in this facility, last day employed and reasons for leaving.
- (b) In addition to the application form, the individual personnel file shall contain other pertinent personnel data such as health records and evaluation of performance.
- (c) Each employee shall have a physical examination which has been conducted within a period of ten (10) days before or after employment and annually thereafter. This shall include findings that permit certification that the employee is free of communicable, contagious or infectious diseases. Additional physical examinations may be requested at the discretion of the Department according to the "Rules and Regulations for the Control of Communicable Diseases", Illinois Department of Public Health.

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This initial physical exam shall include documentation regarding past or present tuberculosis infection, determined by either a tuberculosis skin test, or a chest x-ray taken within one (1) year prior to or ten (10) days after initial employment.

Repeat skin tests and/or chest x-rays are not required unless the employee is exposed to a person with tuberculosis in its contagious stage or has signs and symptoms of disease. However, they are highly recommended, especially for persons residing or working in high-risk areas of the State.

It is also recommended that employees who have been infected with tuberculosis (positive skin reaction) and have not had a full course in chemoprophylaxis or chemotherapy should complete one (1) year of daily INH unless contraindicated because of age or physical condition. Depending on their risk of developing disease, as determined by their physician, employees who have been infected and have not been able to complete a full course of preventive treatment should have a chest x-ray annually.

(d) An employee diagnosed or suspected of having a contagious or infectious disease shall not be on duty until such time as a written statement is obtained from a physician that the disease is no longer contagious or is found to be noninfectious.

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83.05.01.02 General

- (a) All employees shall be at least sixteen (16) years of age or have a work permit.
- (b) There shall be an ongoing planned in-service program embracing orientation, skill training and ongoing education carried out to enable all personnel to perform their duties effectively.
- (c) There shall be a plan to provide personnel coverage for regular staff when they are absent.
- (d) Every facility shall have a dated weekly employee time schedule posted in a convenient place where employees may refer to it. These shall be kept in the file at the facility for one (1) year.

(filed December 29, 1981, effective January 1, 1982)

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DIVISION 84 - PERSONNEL

84.01.00.00 Section 1 - Personnel

84.01.01.00 Sufficient staff in numbers and qualifications shall be on duty all hours of each day to provide services that meet the total needs of the residents. As a minimum, there shall be at least one (1) staff member awake dressed and on duty at all times on the day and evening shifts.
(filed December 29, 1981, effective January 1, 1982)

84.01.01.01 There shall be at least one staff member on duty in the facility at all times on the night shift. This person need not be awake or dressed, but must be quickly available if a resident has need of his/her services.

84.01.01.02 Provision shall be made for personnel coverage when regular staff is absent.
(filed December 29, 1981, effective January 1, 1982)

84.01.02.00 The number and classification of personnel to be provided, including staff for the social and vocational training programs of the facility, shall be based on the following, developed in consultation with the Illinois Department of Mental Health and Developmental Disabilities:

84.01.02.01 number of residents living within the facility,

84.01.02.02 type of social and vocational programs in current operation to meet resident needs,

84.01.02.03 consultants and part-time professional staff available,

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84.01.02.04 guidelines specified in Appendix A.

The Department of Mental Health and Developmental Disabilities as it evaluates social and vocational programs will examine staffing patterns and accomplishments and will report its findings to the Department.

(filed December 29, 1981, effective January 1, 1982)

84.01.03.00 If arrangements are made to share professional staff and/or consultants, a written agreement must be prepared specifying terms of the arrangement, updated annually and kept on file.

(filed December 29, 1981, effective January 1, 1982)

84.02.00.00 Section 2 - Personnel Policies

84.02.01.00 Personnel policies shall be provided as covered in Division 83, Section 5.

(filed December 29, 1981, effective January 1, 1982)

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DIVISION 85 - HEALTH MAINTENANCE SERVICES

85.01.00.00 Section 1 - Medical Care Policies

85.01.01.00 Each facility shall have a written program updated annually regarding the provision of health maintenance services and the procedures for their implementation.
(filed December 29, 1981, effective January 1, 1982)

85.01.02.00 The resident (or his guardian), shall have a physician of his own choosing to care for his medical needs. The resident shall be encouraged to see his physician as often as necessary as determined by his physician to assure adequate medical care.
(filed December 29, 1981, effective January 1, 1982)

85.01.03.00 Each applicant accepted for admission shall have a complete physical examination either prior to admission or within seventy-two (72) hours after admission to the facility. This examination shall include an evaluation of the resident's condition and recommendations for his care.
(filed December 29, 1981, effective January 1, 1982)

85.02.00.00 Section 2 - Communicable Disease Policies

85.02.01.00 The program administrator shall assume the responsibility for meeting all the Communicable Disease Rules of the State of Illinois, Department of Public Health.
(filed December 29, 1981, effective January 1, 1982)

85.02.02.00 No resident with a communicable, contagious, or infectious disease shall be admitted knowingly. An individual, when suspected or

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diagnosed as having any such disease, shall be given immediate medical attention.

(filed December 29, 1981, effective January 1, 1982)

85.02.03.00 No resident may be admitted knowingly who has had a history of tuberculosis until the patient is classified as inactive, as defined by the latest classification of the American Thoracic Society, Diagnostic Standards.

(filed December 29, 1981, effective January 1, 1982)

85.02.04.00 All illnesses required to be reported under 85.02.01.00, above, shall be reported immediately to the local health department and/or to this Department. The program coordinator shall furnish all pertinent information relating to such occurrences and document the notification.

(filed December 29, 1981, effective January 1, 1982)

85.03.00.00 Section 3 - Behavior Emergencies

85.03.01.00 The resident's personal physician shall be contacted in the event of a behavior emergency. If treatment away from the Community Living Facility is indicated, the facility shall be responsible for taking the resident to the nearest appropriate mental health facility (public or private). Upon request, the Department of Mental Health and Developmental Disabilities will supply information to the facility as to what services are available in the community.

(filed December 29, 1981, effective January 1, 1982)

85.03.02.00 No form of seclusion, nor use of restraints, shall be permitted.

(filed December 29, 1981, effective January 1, 1982)

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85.04.00.00 Section 4 - Medication Policies

85.04.01.00 Every facility shall provide appropriate policies and procedures, which shall be followed in the operation of the facility, for assisting residents in obtaining individually prescribed medication for self-administration and for disposing of medications prescribed by the attending physicians.

85.04.01.01 These policies and procedures shall be developed with consultation from an Illinois registered professional nurse and a registered pharmacist. These policies and procedures shall be part of the written program of care and services.

85.04.01.02 All medications taken by residents in this type of facility must be ordered by the attending physician directly from a pharmacy. Facility staff may not order medication from a pharmacy.

(filed December 29, 1981, effective January 1, 1982)

85.04.01.03 If the policies of the facility permit residents to be totally responsible for their own medication, when the attending physician gives written permission for such action, the policies of the facility shall provide that the resident and attending physician shall be given written statements concerning the relative liability of each of the three parties, (Facility, resident and physician), in cases where the resident, or any other person, suffers harm due to the resident's actions in handling his/her own medications.

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85.04.02.00 This type of facility shall not stock drugs.

85.04.02.01 No pharmacy shall be operated in this type of facility.
(filed December 29, 1981, effective January 1, 1982)

85.04.03.00 All medications on individual prescription or from the physician's personal supply shall be properly labeled as set forth in 85.04.13.00.

85.04.03.01 All other medications shall be authorized by a physician for individual resident use, and shall be clearly identified with the resident's name.
(filed December 29, 1981, effective January 1, 1982)

85.04.03.02 Attending physicians shall review the medication regimen of each resident at least every six months. Documentation of this review shall be entered in the resident's record.

85.04.04.00 All medications used by residents shall be properly recorded by facility staff at time of use.
(filed December 29, 1981, effective January 1, 1982)

85.04.04.01 A medication record need not be kept for those residents for whom the attending physician has given permission to keep their medication in their room and to be fully responsible for taking the medications in the correct dosage and at the proper times themselves.

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85.04.05.00 Medications administered by hypodermic shall not be given in a facility unless administered by a physician, registered nurse, or licensed practical nurse. A resident who has been trained in self-administration of a drug by hypodermic, may be permitted to do so upon the written order of the physician.
(filed December 29, 1981, effective January 1, 1982)

85.04.06.00 Oxygen may not be administered in this type of facility, except in an emergency. Not more than one (1) twelve (12) pound portable size tank of oxygen for such an emergency. use shall be kept in the facility.
(filed December 29, 1981, effective January 1, 1982)

85.04.07.00 All discontinued legend or controlled drugs, all medications having an expiration date that has passed, and all medications of residents who have expired, shall be disposed of in accordance with the rules and regulations of the Federal Drug Enforcement Administration by the prescribing physician or the consultant pharmacist. A notation of their disposition shall be made in the resident's record.
(filed December 29, 1981, effective January 1, 1982)

85.04.08.00 All medications shall be stored in a locked area at all times. Areas shall be well lighted and of sufficient size to permit storage without crowding. This area may be a drawer, cabinet, closet, or room.
(filed December 29, 1981, effective January 1, 1982)

85.04.08.01 This area may be a locked drawer or cabinet in the resident's room for those residents whom the attending physician has given written permission to be totally responsible

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for their own medication, including the obtaining, storage and self-administration of the medication.

85.04.09.00 The key to the medicine area shall be the responsibility of, and in the possession of, the staff persons responsible for overseeing the self-administration of medications by residents.

85.04.09.01 The medicine area shall not be used for any other purpose. It shall not be located in residents' rooms, bathrooms, or the kitchen.

85.04.09.02 Residents for whom the attending physician has given permission to be totally responsible for their own medication shall maintain possession of the key to their own medication storage area. A duplicate key shall be kept by the facility in its safe, or some other secure place, for emergency use, such as if the resident should lose or misplace his/her key.
(filed December 29, 1981, effective January 1, 1982)

85.04.10.00 Medications for external use shall be kept in a separate area in the medicine cabinet area or in a separate locked area.
(filed December 29, 1981, effective January 1, 1982)

85.04.11.00 All poisonous substances and other hazardous compounds shall be kept in a separate locked area away from medications.
(filed December 29, 1981, effective January 1, 1982)

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85.04.12.00 Biologicals or medications requiring refrigeration shall be stored in a properly covered locked container in a refrigerator.
(filed December 29, 1981, effective January 1, 1982)

85.04.13.00 The label of each individual medication container filled by a pharmacist shall clearly indicate the resident's full name, physician's name, prescription number, name and strength of drug, amount of drug, date of issue, expiration date of all time-dated drugs; name, address, and telephone number of pharmacy issuing the drug; and the initials of the pharmacist filling the prescription. If the individual medication container is filled by a physician from his own supply, the label shall clearly indicate all the proceeding information except that pertaining to the identification of the pharmacy, pharmacist, and prescription number.
(filed December 29, 1981, effective January 1, 1982)

85.04.14.00 Medication containers having soiled, damaged, incomplete, illegible, or makeshift labels shall be returned to the issuing pharmacist, pharmacy, or dispensing physician for relabeling or disposal. Containers having no labels shall be destroyed in accordance with Federal and State laws.
(filed December 29, 1981, effective January 1, 1982)

85.04.15.00 The medications of each resident shall be kept and stored in their originally received containers. Medications shall not be transferred between containers.
(filed December 29, 1981, effective January 1, 1982)

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DIVISION 86 - PROGRAM SERVICES

86.01.00.00 Section 1 - Program Evaluation

86.01.01.00 The Illinois Department of Mental Health and Developmental Disabilities will evaluate the social and vocational programs provided by the Community Living Facility in terms of compliance with program standards as specified in Appendix A, and will report its findings in writing to the Department.
(filed December 29, 1981, effective January 1, 1982)

86.02.00.00 Section 2 - Program and Services

86.02.01.00 Each facility shall establish and provide to each resident a supervised home environment for the residents who, without such services, might require institutionalization.
(filed December 29, 1981, effective January 1, 1982)

86.02.02.00 Each facility shall:

86.02.02.01 Establish and provide to each resident a community living program which will lead to independent or increased independent living in the community. The program shall:

- (a) Assist each individual resident in developing realistic goals and acceptable attitudes.
- (b) Provide each individual resident with practical experiences in community living.

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- (c) Assist each individual resident in adjusting to a variety of situations which will result in the development of acceptable behavior.
- (d) Provide evening and weekend training programs emphasizing those areas which will lead to independent living, e.g., personal grooming, socialization skills, communication skills, clothing, finances, food, transportation, and leisure-time activities.
- (e) Provide and/or arrange a vocational training program to meet the individual needs of each resident.

86.02.02.02 Provide accommodations related to services and program by a unit concept. Each such unit shall consist of not less than five (5) nor more than twenty (20) residents. No facility shall consist of more than eighty (80) residents.

86.02.02.03 Provide that the residents will be responsible for assisting and planning household activities, participating in various household tasks such as maintaining the grounds, cleaning their own rooms, and assisting in the care of other areas in the facility.

86.02.02.04 Provide that the residents are encouraged and taught to plan, prepare and serve meals; and that equipment and utensils in the kitchen are available for use by the residents.

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86.02.02.05 Provide that residents shall assist in shopping for food for the facility, and in purchasing their own clothes, toiletries and other incidentals.

86.02.02.06 Provide that residents be required to assume personal responsibility for the housekeeping standards of their bedrooms. Such housekeeping shall include, but not be limited to, vacuuming of floors, making beds, changing linen, and keeping personal clothing in drawers and closets.

86.02.02.07 Provide that residents are taught how to use home and/or commercial-type laundry equipment.

86.02.02.08 Provide that residents shall not be used to replace employed staff.

86.02.02.09 Encourage a planned volunteer program to assist with the facility's program for its residents. It shall be under the direction of a staff member in a supervisory capacity.

86.02.02.10 Arrange for the placement of qualified residents in an independent living situation, or if otherwise indicated, in another group living facility at an appropriate level of care.

(filed December 29, 1981, effective January 1, 1982)

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DIVISION 87 - RECORDS

87.01.00.00

Section 1 - General

87.01.01.00

An active record shall be kept for each resident. This record shall be kept current, dated, signed, complete, legible, and available at all times to the appropriate personnel of the facility and to the representatives of the Department and the Illinois Department of Mental Health and Developmental Disabilities. Each resident shall be evaluated by the facility's staff within fifteen (15) days of admission to the facility. Such evaluation shall include a written entry in the resident's permanent record regarding present work or training assignment outside the facility, social and vocational training program goals within the facility and probable length of stay needed in the facility to accomplish independent living goals.

(filed December 29, 1981, effective January 1, 1982)

87.01.02.00

Each resident's record shall be written in ink or typed, and each entry shall be dated and signed and shall include the following:

87.01.02.01

Identification sheet(s) and/or admission form(s) including resident's name, social security number, marital status, birthdate, age, birthplace, sex, home address, and religion; name, address and telephone number of referral agency, personal physician; next of kin or other responsible person.

87.01.02.02

A statement that the resident is free of communicable diseases, including active tuberculosis. It shall be signed and dated by the physician. This shall be completed prior to, or within seventy-two (72) hours after admission.

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Any additional information pertaining to the resident's medical and personal history that may be helpful in the management of the resident shall be included.

87.01.02.03 Results of an examination determining mental and functional level.

87.01.02.04 Progress record towards goals documented a minimum of at least once monthly.

87.01.02.05 A full written report on any incident or accident involving a resident while on the premises.

87.01.02.06 Consultants shall make written reports of their findings and recommendations at the time of each visit. These shall be included in the resident's progress record if concerned with an individual resident.

87.01.02.07 Discharge information shall be recorded within seventy-two (72) hours after the resident leaves the facility. This shall indicate the date, time, condition of the resident, to whom released and where going (home, another facility, etc.). This information may be part of the admission record form.

(filed December 29, 1981, effective January 1, 1982)

87.02.00.00 Section 2 - Other Records

87.02.01.00 The facility shall maintain a record of any personal money, regardless of source, or valuables kept for a resident. If purchases are made for a resident from these personal monies, proper receipts shall be kept and notations made in a separate bookkeeping system.

(filed December 29, 1981, effective January 1, 1982)

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87.02.02.00 The facility shall keep a record of each resident's valuable belongings. This shall be initiated at the time of admission. It shall be kept current and should be part of the resident's ongoing record.
(filed December 29, 1981, effective January 1, 1982)

87.02.03.00 The facility shall maintain a record of recommendations from consultants regarding the overall program and its development.
(filed December 29, 1981, effective January 1, 1982)

87.02.04.00 Each facility shall maintain a permanent chronological resident registry book showing date of admission, name of resident, and date of discharge.
(filed December 29, 1981, effective January 1, 1982)

87.02.05.00 Records and daily time schedules shall be kept on each employee as set forth in 83.05.01.01 and 83.05.01.02
(filed December 29, 1981, effective January 1, 1982)

87.02.06.00 A full written report of any serious incident or accident involving a resident shall be placed in the resident's medical record. This report shall include the date and time of each incident or accident and the action taken concerning it. These incidents and accidents shall include medication errors and drug reactions and all situations requiring the emergency services of a physician, a hospital, the police, the fire department, the coroner, etc. The Department shall be notified by a phone call to the Regional Office of all such incidents or accidents. Such notification shall be made within twenty-four (24) hours of their occurrence. A written copy of this report shall be sent to the Department within seven (7) days of such incident or accident.
(filed December 29, 1981, effective January 1, 1982)

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DIVISION 88 - FOOD SERVICE

88.01.00.00 Section 1 - Food Service

88.01.01.00 Each facility shall have a staff person designated to be responsible for the total food service operation in the facility, or such person designated in each living unit. This person shall be on the premises sufficient time each week to determine that the food service is satisfactory.

(filed December 29, 1981, effective January 1, 1982)

88.01.02.00 Food should be prepared and served family style to approximate, as nearly as possible, a family living situation. Residents should be allowed and encouraged to serve themselves the appropriate amount of food for a properly balanced diet. Normally, seating arrangements should not exceed six residents per table. Residents should be allowed and encouraged to choose their own seating arrangements. There shall be no segregation between the sexes by table or seating arrangements during meal time.

(filed December 29, 1981, effective January 1, 1982).

88.02.00.00 Section 2 - Adequacy of Diet

88.02.01.00 The daily food allowance for each resident shall meet the basic food pattern for a general diet for an adult following the recommendations of the Food and Nutrition Board, National Research Council, and shall include:

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88.02.01.01 Milk: Two (2) eight (8) ounce servings of milk. A portion of this amount may be served in a cooked form such as creamed dishes, desserts, etc. (See this Division, Section 5, Item a-8.)

88.02.01.02 Meat Group: Two (2) or more servings of protein food of good quality. The following are samples of one (1) serving:

- (a) One (1) egg equals one-third (1/3) serving.
- (b) Three (3) ounces of cheese two (2) one-and-one-half (1 1/2) ounce, or three (3) one (1) ounce slices), or three-fourths (3/4) cup cottage cheese.
- (c) Three (3) ounces fresh cooked fish or shellfish, or one-half (1/2) cup canned fish.
- (d) Three (3) ounces of any cooked meat (without fat, bone) such as ground beef, steak, roast beef, lamb or pork, pork chops, veal chops, lamb chops, chicken, turkey, liver, etc.
- (e) Three (3) ounces prepared luncheon meat (two (2) one and one-half (1 1/2) ounce slices.)
- (f) Occasionally dry beans or dry peas may be served as an alternate.

(filed December 29, 1981, effective January 1, 1982)

88.02.01.03 Vegetable and Fruit Group: Four (4) or more servings. One serving of vegetable equals one-half (1/2) cup.

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- (a) A citrus fruit each day or other fruit or vegetable important for Vitamin C.
- (b) A dark green or deep yellow vegetable for Vitamin A at least every other day.
- (c) Other fruits and vegetables including potatoes.
- (d) Any vegetable repeated for the day shall not again be counted as one (1) of the four (4) servings required in this group.

88.02.01.04 Bread and Cereal Group: Four (4) or more servings of whole grain, enriched or restored. One (1) slice bread equals one (1) serving. One-half (1/2) cup cereal equals one (1) serving.

88.02.01.05 Butter or Margarine: Some of either each day as a seasoning and as a spread.

88.02.01.06 Other Foods: Serve other foods as necessary to round out meals, satisfy individual appetites, improve flavor and meet the individual's nutritional and caloric needs. Snacks may also be used for this purpose.
(filed December 29, 1981, effective January 1, 1982)

88.03.00.00 Section 3 - Scheduling of Meals

88.03.01.00 A minimum of three (3) meals or their equivalent shall be provided daily.
(filed December 29, 1981, effective January 1, 1982)

88.03.02.00 Snacks of nourishing quality shall be made available.
(filed December 29, 1981, effective January 1, 1982)

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88.04.00.00 Section 4 - Food Preparation and Service

88.04.01.00 Foods shall be prepared by appropriate methods that will conserve their nutritive value, enhance their flavor and appearance.
(filed December 29, 1981, effective January 1, 1982)

88.05.00.00 Section 5 - Food Handling Sanitation

88.05.01.00 Every facility shall comply with the latest edition of the Department's "Food Service Sanitation Rules and Regulations."

88.06.00.00 Section 6 - Kitchen Equipment, Utensils and Supplies

88.06.01.00 The kitchen or dietary area shall be adequate to meet the food service needs. It shall have adequate equipment, utensils and supplies to properly store, prepare, and serve the required number of meals. This shall include, but is not limited to, the following:

88.06.01.01 There shall be an adequate supply of food preparation equipment such as pots, pans, spoons, knives, mixers, etc., of the proper type to satisfactorily prepare the meals.

88.06.01.02 Each facility shall provide an adequate number of dishes, glassware, and silverware of a satisfactory type to serve all the residents in the facility at each meal.
(filed December 29, 1981, effective January 1, 1982)

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DIVISION 89 - MAINTENANCE, HOUSEKEEPING, AND LAUNDRY

89.01.00.00 Section 1 - Maintenance

89.01.01.00 Every facility shall have an effective plan for maintenance including sufficient staff, appropriate equipment and adequate supplies. Each facility shall:

89.01.01.01 Maintain the building in good repair and free of the following: cracks in floors, walls or ceilings; peeling wallpaper or paint; warped or loose boards; warped, broken, loose or cracked floor covering, such as tile or linoleum; loose handrails or railings; loose or broken window panes; and any other similar hazards.

89.01.01.02 Maintain all electrical, signaling, mechanical, water supply, heating, fire protection and sewage disposal systems in a safe and functioning condition. This shall include regular inspections of these systems.

89.01.01.03 Maintain all electrical cords and appliances in a safe and functioning condition.

89.01.01.04 Maintain the interior and exterior finishes of the building as needed to keep it attractive, clean, and safe. (Painting, washing, etc.)

89.01.01.05 Maintain all furniture and furnishings in a clean, attractive, and safely repaired condition.

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89.01.01.06 Maintain the grounds and other buildings on the grounds in a safe, sanitary and presentable condition.

89.01.01.07 The building and grounds shall be kept free of any possible infestations of insects and rodents by: eliminating sites of breeding and harborage inside and outside the building; eliminating sites of entry into the building with screens of not less than 16 mesh to the inch and repair of any breaks in construction.

(filed December 29, 1981, effective January 1, 1982)

89.01.02.00 Maintain all plumbing fixtures and piping in good repair and properly functioning.

89.01.02.01 Protect the potable water supply from contamination by providing and properly installing adequate, backflow protection devices or providing adequate air gaps on all fixtures that may be subject to backflow or back siphonage.

(filed December 29, 1981, effective January 1, 1982)

89.02.00.00 Section 2 - Housekeeping

89.02.01.00 Every facility shall have an effective plan for housekeeping including sufficient staff, appropriate equipment and adequate supplies. Each facility shall:

89.02.01.01 Keep the building in a clean, safe and orderly condition. This includes all rooms, corridors, attics, basements and storage areas.

89.02.01.02 Keep floors clean, as non-slip as possible, free from tripping hazards.

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89.02.01.03 Control odors within the housekeeping staff's area of responsibility by effective cleaning procedures and by the proper use of ventilation systems. Deodorants shall not be used to cover up persistent odors caused by unsanitary conditions or poor housekeeping practices.

(filed December 29, 1981, effective January 1, 1982)

89.02.02.00 Attics, basements, stairways and similar areas shall be kept free of accumulations of refuse, discarded furniture, old newspapers, boxes, discarded equipment and other items.

(filed December 29, 1981, effective January 1, 1982)

89.02.03.00 Bathtubs, shower stalls and/or lavatories shall not be used for laundering, janitorial or storage purposes.

(filed December 29, 1981, effective January 1, 1982)

89.02.04.00 Potentially hazardous compounds or solutions, such as cleaning compounds and insecticides, shall be kept in a segregated space outside of food preparation or storage areas and bathrooms.

(filed December 29, 1981, effective January 1, 1982)

89.03.00.00 Section 3 - Laundry Services

89.03.01.00 Every facility shall have an effective means of supplying an adequate amount of clean linen for operation, either through an in-house laundry, a contract with an outside service, or each resident doing his own laundry as a part of a training program.

An adequate supply of clean linen shall be defined as the three sets of sheets, pillow cases and other linens needed to meet the needs of the residents. Additional changes of linen may be required in consideration of laundering and transporting soiled linens.

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If an in-house laundry service is provided, then the following conditions shall exist:

89.03.01.01 The laundry area shall be maintained and operated in a clean, safe and sanitary manner.

89.03.01.02 Written operating procedures shall be developed, posted and implemented which provide for the handling, transport and storage of clean and soiled linens.

89.03.01.03 Laundry personnel must be in good health and practice good personal grooming. Employees must thoroughly wash their hands and exposed portions of their arms with soap and warm water before starting work, during work as often as necessary to keep them clean and after smoking, eating, drinking, using the toilet and handling soiled linens.

89.03.01.04 Clean linen shall be protected from contamination during handling, transport and storage.

89.03.01.05 Soiled linen shall be handled, transported and stored in a manner that protects facility residents and personnel.

89.03.01.06 The laundry and its accessory storage and handling areas shall not be used as a storage area for supplies not directly connected with the operation of the laundry.

(filed December 29, 1981, effective January 1, 1982)

89.03.02.00 If an outside laundry service is used, it shall provide for protection of clean linens during transport back to the facility.

(filed December 29, 1981, effective January 1, 1982)

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89.03.03.00

If the facility provides laundry service for residents' personal clothing, it must be handled, transported and stored in a manner that will not allow contamination of clean linen or allow contamination by soiled linen.

(filed December 29, 1981, effective January 1, 1982)

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DIVISION 90 - FURNISHINGS, EQUIPMENT AND SUPPLIES

90.01.00.00 Section 1 - Furnishings

90.01.01.00 Each resident shall be provided with a bed which is at least thirty-six (36) inches wide, be of sturdy construction and in good repair. Cots, roll-away, double or folding beds shall not be used. Double beds may be used for married couples if they desire this arrangement.
(filed December 29, 1981, effective January 1, 1982)

90.01.02.00 Each bed shall be provided with satisfactory type springs in good repair, a clean, firm, comfortable mattress of appropriate size for the bed.
(filed December 29, 1981, effective January 1, 1982)

90.01.03.00 Each bed shall be provided with a minimum of one (1) clean, comfortable pillow.
(filed December 29, 1981, effective January 1, 1982)

90.01.04.00 Each bedroom shall be furnished with enclosed space within the resident's room for hanging his clothes. This space shall be approximately two (2) feet by two (2) feet per resident and of sufficient height for hanging clothes.
(filed December 29, 1981, effective January 1, 1982)

90.01.05.00 Each bedroom shall be provided with a mirror. Each lavatory shall be provided with a mirror.
(filed December 29, 1981, effective January 1, 1982)

90.01.06.00 Each bedroom shall have window shades, or equivalent, in good repair.
(filed December 29, 1981, effective January 1, 1982)

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90.01.07.00 A satisfactory reading lamp, or equivalent, shall be provided for each bed.
(filed December 29, 1981, effective January 1, 1982)

90.01.08.00 Each living and/or multi-purpose room for residents' use shall be provided with an adequate number of reading lamps, tables and chairs or settees. These furnishings shall be well constructed and of satisfactory design for the residents.
(filed December 29, 1981, effective January 1, 1982)

90.01.09.00 Dining room furnishings shall be provided for each resident which are well constructed, comfortable in good repair and of satisfactory design for the residents. There shall be a sufficient number of tables, of a type that can be used by wheelchair residents, to accomodate all such residents in the facility.
(filed December 29, 1981, effective January 1, 1982)

90.01.10.00 Office spaces and other areas shall be satisfactorily furnished with desks, chairs, tables, lamps, cabinets, counters and/or other furnishings essential to the proper use of the area.
(filed December 29, 1981, effective January 1, 1982)

90.02.00.00 Section 2 - Equipment and Supplies

90.02.01.00 There shall be a sufficient supply of linen and bedding in good condition to provide proper cleanliness and comfort to the residents.
(filed December 29, 1981, effective January 1, 1982)

90.02.02.00 There shall be a first aid kit in each living unit. This shall contain bandages, sterile gauze dressings, bandage scissors, tape, sling, burn ointment, and any other first aid supplies and equipment.
(filed December 29, 1981, effective January 1, 1982)

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90.02.03.00 Program supplies shall be provided to maintain an ongoing program and meet the varied interests and needs of the residents. These shall include, but are not limited to, games, craft supplies, current magazines, books, radio, and television.
(filed December 29, 1981, effective January 1, 1982)

90.02.04.00 Dishes and kitchen equipment shall be provided as set forth in Division 88, Section 6.
(filed December 29, 1981, effective January 1, 1982)

90.02.05.00 Cleaning equipment and supplies shall be provided as set forth in Division 89, Sections 1 and 2.
(filed December 29, 1981, effective January 1, 1982)

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DIVISION 91 - WATER SUPPLY AND SEWAGE DISPOSAL

91.01.00.00 Section 1 - Codes

91.01.01.00 Water supply, sewage disposal and plumbing systems shall comply with all applicable State and local codes and ordinances.

(filed December 29, 1981, effective January 1, 1982)

91.02.00.00 Section 2 - Water Supply

91.02.01.00 Each facility shall be served by water from a municipal public water supply when available.

(filed December 29, 1981, effective January 1, 1982)

91.02.02.00 When a municipal public water supply is not available, the water supply shall comply with "Rules for Drinking Water Systems," as amended.

(filed December 29, 1981, effective January 1, 1982)

91.02.03.00 If water is supplied by a well that is not part of a municipal system, the well shall be constructed and maintained in accordance with the "Illinois Water Well Construction Code" and "Water Well Pump Installation Code."

91.02.03.01 Each facility shall have a written agreement with a water company, dairy, or other water purveyor to provide an emergency supply of potable water for drinking and culinary purposes.

(filed December 29, 1981, effective January 1, 1982)

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91.03.00.00 Section 3 - Sewage Disposal

91.03.01.00 All sewage and liquid wastes shall be discharged into a public sewage system when available.

(filed December 29, 1981, effective January 1, 1982)

91.03.02.00 When a public sewage system is not available, sewage and liquid wastes shall be collected, treated, and disposed of in a private sewage disposal system. The design, construction, maintenance, and operation of the system shall comply with the "Private Sewage Disposal Licensing Act and Code," as amended.

(filed December 29, 1981, effective January 1, 1982)

91.04.00.00 Section 4 - Plumbing

91.04.01.00 Each plumbing system shall comply with the "Illinois State Plumbing Code" and the rules and regulations promulgated thereunder effective at the time of construction and/or approved acceptance by the Department.

(filed December 29, 1981, effective January 1, 1982)

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DIVISION 92
DESIGN AND CONSTRUCTION STANDARDS FOR
NEW COMMUNITY LIVING FACILITIES

92.01.00.00 Section 1 - Applicability of Standards

92.01.01.00 These standards shall apply to all new community living facilities and major alterations and additions to existing community living facilities. (Major alterations are those that are not defined as minor alterations in Section 92.01.03.00 herein.)

92.01.01.01 Projects for which working drawings and specifications have received final approval by the Department prior to the promulgation of these Standards are subject only to those Standards that were in effect at the time that final approval was given.
(filed December 29, 1981, effective January 1, 1982)

92.01.02.00 When construction is contemplated, either for new buildings or additions or major alterations to existing buildings coming within the scope of these standards, design development drawings and outline specifications shall be submitted to the Department for review. Approval of design development drawings and specifications shall be obtained from the Department prior to starting final working drawings and specifications. Comments or approval will be provided within thirty (30) days of receipt by the Department.
(filed December 29, 1981, effective January 1, 1982)

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92.01.03.00 The final working drawings and specifications shall be submitted to the Department for review and approval prior to beginning of construction. For final approval to remain valid, contracts must be signed within one (1) year of the date of final approval. Alternate methods of design development and construction, such as fast track may be acceptable, subject to the approval of the Department. Comments or approval will be provided within thirty (30) days of receipt by the Department.

(filed December 29, 1981, effective January 1, 1982)

92.01.04.00 Any contract modifications which affect or change the function, design, or purpose of a facility shall be submitted to the Department for approval prior to authorizing the modifications. Comments or approval will be provided within thirty (30) days of receipt by the Department.

(filed December 29, 1981, effective January 1, 1982)

92.01.05.00 The Department shall be notified at least thirty (30) days before construction has been completed. The Department will then complete a final inspection. Deficiencies noted during the final inspection must be completed before occupancy will be allowed.

(filed December 29, 1981, effective January 1, 1982)

92.01.06.00 Minor alterations or remodeling changes which do not affect the structural integrity of the building, which do not change functional operation, which do not affect fire safety, and which do not add beds or facilities over those for which the community living facility is licensed need not be submitted for drawing approval. However, the Health Facilities Planning Board requirements must be met for all alterations and remodeling projects.

(filed December 29, 1981, effective January 1, 1982)

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92.01.07.00 No system of water supply, plumbing, sewage, garbage or refuse disposal shall be installed, nor any such existing system materially altered or extended until complete plans and specifications for the installation, alteration or extension have been submitted to the Department and have been reviewed and approved.

(filed December 29, 1981, effective January 1, 1982)

92.02.00.00 Section 2 - Codes and Standards

92.02.01.00 Each facility shall comply with the applicable provisions of the following codes and standards:

92.02.01.01 State of Illinois Codes and Standards

Code or Standard	Agency
(a) Ill. State Plumbing Code (1976)	Department of Public Health Environmental Health Protection
(b) Accessibility Standards for the Handicapped (June 1978)	Capital Development Board
(c) Rules and Regulations for Food Service Sanitation (1975)	Department of Public Health Environmental Health Protection
(d) State of Illinois Safety Glazing Materials Act, 1971	State of Illinois Department of Labor
(e) Rules and Regulations for Fire Prevention and Safety September 1973	Office of State Fire Marshal

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92.02.01.02 Other Codes and References

Codes or Standards	Agency
(a) National Fire Protection Association	National Fire Protection Association
(1) NFPA 10 - 1975, Standard for Portable Extinguishers	
(2) NFPA 70 - 1975 National Electric Code	
(3) NFPA 72 - 1975, Local Protective Systems	
(4) NFPA 90A - 1976, Air Conditioning and Ventilating Systems	
(5) NFPA 220 - 1975, Standard Types of Building Construction	
(6) NFPA 255 - 1972, Test of Surface Burning Characteristics of Building Materials	
(7) NFPA 258 - 1976, Measuring Smoke Generated by Solid Material	
(b) Underwriters' Laboratory, Inc. (UL)	Underwriters' Laboratories, Inc.
(1) Fire Resistance Index (date) (All Editions)	
(2) Building Material Directory (All Editions)	
(c) American Society for Testing and Materials (ASTM) Standard No. E-84-1977A Method of Test for Surface Burning Characteristics of Building Materials (Same as NFPA 255)	American Society for and Materials
(d) Uniform Building Code (1976 Edition)	International Conference of Building Officials
	(filed December 29, 1981, effective January 1, 1982)

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92.02.02.00 In addition to compliance with the Standards set forth herein, all building codes, ordinances and regulations which are enforced by City, County or other local jurisdictions in which the facility is, or will be located must be observed.
(filed December 29, 1981, effective January 1, 1982)

92.02.03.00 Where no local building code exists, the recommendations of the 1976 Edition of the "Uniform Building Code" shall apply.
(filed December 29, 1981, effective January 1, 1982)

92.02.04.00 The local building code or the recommendations of the 1976 Edition of the "Uniform Building Code" shall apply insofar as such recommendations are not in conflict with these I.D.P.H. Standards set forth in these regulations.
(filed December 29, 1981, effective January 1, 1982)

92.03.00.00 Section 3 - Preparation of Drawings and Specifications

92.03.01.00 The preparation of drawings and specifications shall be executed by or be under the immediate supervision of an architect registered in the State of Illinois.
(filed December 29, 1981, effective January 1, 1982)

92.03.02.00 The first submission shall be the design development drawings indicating in detail the assignment of all spaces, size of areas and rooms, and indicating in outline, the fixed and movable equipment and furniture, and the outline specifications.
(filed December 29, 1981, effective January 1, 1982)

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92.03.03.00 The plans shall be drawn at a scale sufficiently large to clearly present the proposed design.

(filed December 29, 1981, effective January 1, 1982)

92.03.04.00 The drawings shall include:

92.03.04.01 a plan of each floor including the basement or ground floor,

92.03.04.02 roof plan,

92.03.04.03 plot plan showing roads, parking areas, sidewalks, etc.,

92.03.04.04 elevations of all facades,

92.03.04.05 sections through the building,

92.03.04.06 identification of all fire and smoke compartmentation.

(filed December 29, 1981, effective January 1, 1982)

92.03.05.00 Outline specifications shall provide a general description of the construction including finishes; acoustical material, floor covering; heating and ventilating systems; description of the electrical system including the emergency electrical system.

(filed December 29, 1981, effective January 1, 1982)

92.03.06.00 The total gross floor area and bed count shall be shown on the drawings.

(filed December 29, 1981, effective January 1, 1982)

92.03.07.00 A brief narrative of the proposed program shall be submitted with the design development drawings and outline specifications.

(filed December 29, 1981, effective January 1, 1982)

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92.03.08.00 Following approval of the design development drawings and the outline specifications, working drawings and specifications shall be submitted. All working drawings shall be well prepared and clear and distinct prints submitted. Drawings shall be accurately dimensioned and shall include all necessary explanatory notes, schedules and legends. Working drawings shall be complete and adequate for contract purposes. Drawings shall be prepared for each of the following branches of work: Architectural, Structural, Mechanical, Electrical and Plumbing.

92.03.08.01 The architectural drawings shall show:

- (a) Site plan showing all topography, newly established levels and grades, existing structures on the site (if any), new buildings and structures, roadways, walks, and the extent of the areas to be landscaped. All structures which are to be removed under the construction contract shall be shown.
- (b) Plan of each floor and roof.
- (c) Elevation of each facade.
- (d) Sections through building.
- (e) Scale details as necessary; at a scale sufficiently large to properly indicate details of the work.
- (f) Schedule of finishes.

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92.03.08.02 The structural drawings shall show:

- (a) Plans of foundations, floors, roofs and all intermediate levels shall show the complete design with sizes, sections, and the relative location of the various members including:
- (b) Schedule of beams, girders and columns.
- (c) Notes on design data shall include the name of the governing building code, values of allowable unit stresses, assumed live loads, wind loads, earthquake load, and soil bearing pressures.
- (d) Details of special connections, openings, pipe sleeves and expansion joints.
- (e) Special structures shall include calculations defining load assumption, shear and moment diagrams and horizontal and vertical reactions.

92.03.08.03 Mechanical drawings with specifications shall show the complete heating, cooling and ventilation systems; plumbing and drainage.

- (a) Heating, Cooling and Ventilation.
 - (1) Air conditioning systems with required equipment, water and refrigerant piping, and ducts.
 - (2) Supply and exhaust ventilating systems with connections and piping.

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(b) Plumbing and Drainage and Systems.

- (1) Size and elevation of: street sewer, house sewer, house drains, street water main and water service into the building.
- (2) Location and size of soil, waste, and vent stacks with connections to house drains, cleanouts, fixtures and equipment.
- (3) Size and location of hot, cold and circulating mains, branches, and risers from the service entrance, and tanks.
- (4) Riser diagram of all plumbing stacks with vents, water risers and fixture connections.
- (5) All fixtures and equipment that require water and drain connections.

92.03.08.04 Electrical drawings shall show all electrical wiring, outlets, and equipment which require electrical connections.

- (a) Electrical service entrance with switches and feeders to the public service feeders, characteristics of the light and power current, transformers and their connections.
- (b) Location of main switchboard, power panels, light panels and equipment. Feeder and conduit sizes shall be shown with schedule of feeder breakers or switches.

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- (c) Light outlets, receptacles, switches, power outlets, and circuits.
- (d) Telephone layout showing service entrance, telephone switchboard, strip boxes, telephone outlets and branch conduits as approved by the telephone company. Where public telephones are used for intercommunication, provide separate room and conduits for racks and automatic switching equipment as required by the telephone company.
- (e) Fire alarm system with stations, signal devices, control board and wiring diagrams.
- (f) Emergency electrical system with outlets, transfer switch, source of supply, feeders, and circuits.
- (g) All other electrically operated systems and equipment.

92.03.08.05 When the project is an addition, details and information on the existing building shall be provided as follows:

- (a) Type of activities within the existing building and distribution of existing beds, etc.
- (b) Type of construction of existing building and number of stories in height.
- (c) Plans and details showing attachment of new construction to the existing structure.

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- (d) Mechanical and Electrical systems showing connections to the existing system.
- (e) The Department may require submission of drawings of all or any part of the existing structure.

92.03.08.06 Specifications shall supplement the drawings and shall:

- (a) Describe, except where fully indicated and described on the drawings, the materials, workmanship, kind, sizes, capacities, finishes, and other characteristics of all materials, products, articles and devices.

(filed December 29, 1981, effective January 1, 1982)

92.04.00.00 Section 4 - Site

92.04.01.00 The facility shall be located on a reasonably flat or rolling, well drained site that is not subject to flooding; reasonably free from sources of excessive noise, noxious or hazardous smoke or fumes; not in deteriorated, unpleasant, or potentially hazardous area; and not near uncontrolled sources of insect and rodent breeding.

(filed December 29, 1981, effective January 1, 1982)

92.04.02.00 The facility shall be located so that the building or buildings can comply with all applicable local zoning ordinances, building restrictions and fire safety requirements. The Department may have additional requirements if the proposed locations of the building or buildings on the site would result in a hazard to, or be detrimental to the health, welfare, or safety of the residents in the facility.

(filed December 29, 1981, effective January 1, 1982)

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92.04.03.00 The facility shall be located in a community which can provide the necessary supportive services for the home such as physicians' services, medical facilities, public utilities, or other acceptable substitutes; and be located on a well-maintained, all-weather road.
(filed December 29, 1981, effective January 1, 1982)

92.04.04.00 The facility shall be located in a section of the community conveniently accessible to reach public transportation, parks, churches, shopping and other community resources, which will be beneficial in the residents' training program toward independent living.
(filed December 29, 1981, effective January 1, 1982)

92.04.05.00 The facility shall be served by a potable water supply with water pressure and volume that is acceptable to this Department and the Office of the State Fire Marshal.
(filed December 29, 1981, effective January 1, 1982)

92.04.06.00 The distance from the fire station, the accessibility of the facility, and capability of the fire department must be approved in writing by the Office of the State Fire Marshal.
(filed December 29, 1981, effective January 1, 1982)

92.04.07.00 The facility shall have at least one (1) municipal or private fire hydrant, located within three hundred (300) feet of every point on the perimeter of the building and satisfactory for use by the equipment of the fire department serving the building, or have an acceptable equivalent. Additional hydrants may be required, if needed, to properly protect the residents from fire hazards. Evaluation and written approval must be obtained from the Office of the State Fire Marshal.
(filed December 29, 1981, effective January 1, 1982)

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92.04.08.00 Plans showing the proposed building location must be submitted to the Illinois Department of Transportation, Division of Water Resources to determine compliance with the State Flood Plain Regulations and Executive Order IV, 1979.
(filed December 29, 1981, effective January 1, 1982)

92.05.00.00 Section 5 - Administration

92.05.01.00 Facilities for the physically handicapped (public, staff and residents) shall be provided in administration and public areas as well as in resident areas.
(filed December 29, 1981, effective January 1, 1982)

92.05.02.00 Provide sufficient space for clerical, financial and managerial functions.
(filed December 29, 1981, effective January 1, 1982)

92.05.03.00 Provide a toilet room with a water closet and a lavatory for staff and visitors.
(filed December 29, 1981, effective January 1, 1982)

92.06.00.00 Section 6 - Bedrooms

92.06.01.00 Each single bedroom used for a resident shall have at least eighty (80) square feet of usable net floor area, not including any space taken up for closets, wardrobes, bathrooms, and clearly definable entryway areas.
(filed December 29, 1981, effective January 1, 1982)

92.06.02.00 Each multiple bedroom used for residents shall have for each resident housed in the room at least sixty (60) square feet of usable floor area. Usable area does not include any space utilized for closets, wardrobes, bathrooms, and clearly definable entryway areas. Maximum room capacity shall be two (2) residents. There shall be a three (3) foot minimum distance between beds.
(filed December 29, 1981, effective January 1, 1982)

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92.06.03.00 Resident bedrooms shall have an entrance directly off an exit corridor or may be part of an apartment suite (bedrooms, toilet, living/dining room and residential kitchen) having an entrance to an exit corridor.

92.06.03.01 Entrance door to an apartment suite or resident bedroom shall swing into the room.

92.06.03.02 No room that opens into a central kitchen or necessitates passing through a central kitchen shall be used as a resident bedroom.
(filed December 29, 1981, effective January 1, 1982)

92.06.04.00 Each room used as a resident bedroom shall have at least one (1) outside window, and a total window area to the outside equal to at least one-tenth (1/10) the floor area of the room.
(filed December 29, 1981, effective January 1, 1982)

92.06.05.00 Each bedroom shall have adequate and satisfactory artificial light.
(filed December 29, 1981, effective January 1, 1982)

92.06.06.00 Each resident shall have access to a toilet room.
(filed December 29, 1981, effective January 1, 1982)

92.06.07.00 Provide a closet or wardrobe of at least four (4) square feet for each resident.
(filed December 29, 1981, effective January 1, 1982)

92.06.08.00 Each bedroom floor shall be no more than three (3) feet below the adjacent ground level.

92.06.08.01 Below grade bedroom shall be designed to maintain a dry and comfortable environment.
(filed December 29, 1981, effective January 1, 1982)

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92.06.09.00 The furniture in the room shall be so arranged, even if it reduces the bed capacity of the room, so that the bed, bedside stand and chair for each resident will be reasonably well arranged.

(filed December 29, 1981, effective January 1, 1982)

92.07.00.00 Section 7 - Nurses Station

92.07.01.00 A nurses station is not a requirement, but provision for twenty-four (24) hour staff supervision shall be provided within each unit (See Division 84).

(filed December 29, 1981, effective January 1, 1982)

92.08.00.00 Section 8 - Bath and Toilet Rooms

92.08.01.00 Provide a minimum of one (1) water closet, one (1) lavatory and one (1) bathtub or shower for each sex on each floor occupied by residents.

92.08.01.01 Provide bathroom fixtures in the following minimum numbers. The number of resident beds shall be used in determining the number of bathroom fixtures required, irrespective of the fact that some of the beds may not be occupied.

92.08.01.02 Provide one (1) lavatory and one (1) water closet for each six (6) resident beds on each floor.

92.08.01.03 Provide one (1) bathtub or shower for each eight (8) resident beds on each floor, which is not otherwise served by bathing facilities adjacent to the resident room.

(filed December 29, 1981, effective January 1, 1982)

92.08.02.00 Each tub or shower shall be in an individual room or enclosure which provides space for the private use of the bathing fixture, and for drying and dressing.

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92.08.02.01 Showers shall be at least 3'-0" square.
(filed December 29, 1981, effective January 1, 1982)

92.09.00.00 Section 9 - Living, Dining Room, and Activity Room(s)

92.09.01.00 These rooms shall be so located that the room is not an entrance vestible from the out-of-doors, nor an obstruction to traffic in and out of the facility.
(filed December 29, 1981, effective January 1, 1982)

92.09.02.00 Provide at least one (1) comfortable furnished living room on each floor.

92.09.02.01 The minimum floor space for a living room shall be eighty (80) square feet. The living room shall have a total window area of at least one-tenth (1/10) the floor area.
(filed December 29, 1981, effective January 1, 1982)

92.09.03.00 Provide a dining room with sufficient area to properly and comfortable seat the residents it serves.
(filed December 29, 1981, effective January 1, 1982)

92.09.04.00 The combined area of the living, dining, and activity rooms shall be not less than fifteen (15) square feet per resident bed.
(filed December 29, 1981, effective January 1, 1982)

92.10.00.00 Section 10 - Kitchen

92.10.01.00 Provide a central kitchen or residential kitchen properly located for efficient food service, and large enough to accommodate the equipment and personnel needed to prepare and serve properly the number of meals required as determined by the Department. The size of kitchen shall be approximately ten (10) square feet per resident bed.
(filed December 29, 1981, effective January 1, 1982)

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92.10.02.00 Provide kitchen equipment in an arrangement for convenient operation, good sanitation, healthful working conditions and control of heat, noise, and odors.
(filed December 29, 1981, effective January 1, 1982)

92.10.03.00 Provide appropriate equipment for the preparation and serving of meals.
(filed December 29, 1981, effective January 1, 1982)

92.10.04.00 Provide refrigeration of perishable foods.
(filed December 29, 1981, effective January 1, 1982)

92.10.05.00 Provide a two (2) compartment sink equipped with drain boards. One (1) compartment is for washing dishes and the other is for rinsing and sanitizing them. The compartment for sanitizing shall be sufficiently deep to allow complete submersion of all items washed. A domestic type dishwashing machine equipped with sanitizing features is required for kitchens serving more than ten (10) residents.
(filed December 29, 1981, effective January 1, 1982)

92.10.06.00 The central kitchen shall be provided with a handwashing lavatory.
(filed December 29, 1981, effective January 1, 1982)

92.10.07.00 The walls and ceilings of all food handling rooms shall be finished with smooth, washable, light-colored surfaces.
(filed December 29, 1981, effective January 1, 1982)

92.10.08.00 All openings to the outside shall be effectively screened during fly seasons, and screen doors shall be equipped with self-closing devices; or a satisfactory alternative method.
(filed December 29, 1981, effective January 1, 1982)

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92.10.09.00 The central kitchen shall be located so that no resident must pass through it to reach a bathroom, resident's bedroom, the living room, dining room, or the out-of-doors.
(filed December 29, 1981, effective January 1, 1982)

92.11.00.00 Section 11 - Laundry Room

92.11.01.00 Provide a laundry room equipped with appropriate and satisfactory type equipment of a design to meet the needs of the facility unless a commercial laundry is used.
(filed December 29, 1981, effective January 1, 1982)

92.11.02.00 Laundry facilities shall not be located in rooms used for food storage, preparation, or serving.
(filed December 29, 1981, effective January 1, 1982)

92.12.00.00 Section 12 - Housekeeping and Storage

92.12.01.00 Sufficient janitor's closets shall be provided throughout the facility as required to maintain a clean and sanitary environment. Each shall contain a floor receptor or service sink and storage space for housekeeping equipment and supplies. Space(s) for large housekeeping equipment and for back-up supplies may be centrally located.
(filed December 29, 1981, effective January 1, 1982)

92.12.02.00 Provide a total area of approximately ten (10) square feet per resident bed for the storage of excess personal possessions of residents and staff, linens, supplies, activity materials and other items. This does not include closets or wardrobes in resident's rooms. Separate storage space with provisions for locking and security control shall be provided for residents personal effects which are not kept in residents bedrooms.
(filed December 29, 1981, effective January 1, 1982)

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92.12.03.00 Provide storage rooms for maintenance, supplies, yard equipment, etc.

(filed December 29, 1981, effective January 1, 1982)

92.13.00.00 Section 13 - Building General

92.13.01.00 General

92.13.01.01 Building shall not be a structural part of a long-term care facility or other institutional buildings.

92.13.01.02 Provide a room arrangement that will permit the facility to be divided functionally into single living units for not less than four (4) nor more than twenty (20) residents. Each single living unit shall contain its own living room and dining room.

92.13.01.03 Each facility shall have a maximum capacity of eighty (80) beds.

92.13.01.04 Buildings of one (1) story in height shall be constructed of fire resistive, protected noncombustible, protected ordinary, protected wood frame, heavy timber, or unprotected noncombustible construction. Buildings of fire resistive construction are not limited in height or number of stories. Buildings of two (2) stories or more in height may be of any approved construction type and must be equipped throughout with an approved automatic extinguishing system, except for fire-resistive construction.

92.13.01.05 All corridors shall be four (4) feet in clear and unobstructed width.

(filed December 29, 1981, effective January 1, 1982)

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92.13.02.00 Doors and Windows

92.13.02.01 Main entrance and all exit doors shall swing outward and be provided with door closers.

92.13.02.02 Exit access doors and all doors used by the residents (except toilets) shall be thirty-four (34) inches in width, side-hinged, swinging type.

92.13.02.03 The doors for the toilet rooms used by residents shall have a minimum door width of thirty-two (32) inches.

92.13.02.04 Resident toilet rooms shall open directly into a corridor or into a resident bedroom.

92.13.02.05 No toilet or bathroom door shall be provided with hardware which could allow a resident to become locked in the room. All toilet or bathroom doors and hardware shall be designed to permit emergency ingress to the room.

92.13.02.06 Locks installed on resident's bedroom and apartment suite doors shall be so arranged that they can be quickly and easily unlocked from the corridor side. All such locks shall be arranged to permit exit from the room by a simple operation without the use of a key. The door may be lockable by the occupant if the door can be locked from the corridor side and keys are carried by the attendants at all times.

92.13.02.07 All doors to bedrooms and exit corridors shall be a minimum of one and three-fourth (1 3/4) inches thick solid core wood or equivalent, latching without louvers.

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92.13.02.08 Doors that are part of a 2-hour fire rated wall separating sections of the building, or an abutting building, must be at least one and one-half (1½) hour, "B" label and self-closing.

92.13.02.09 Doors in smoke stop partitions shall have a fire protection rating of twenty (20) minutes, be self-closing or have a magnetic hold open device connected to the fire alarm and a local smoke detector. Provide a wire glass vision panel in a steel frame.

92.13.02.10 Doors in stairways shall have a fire protection rating of twenty (20) minutes, be self-closing and self-latching. Provide a wire glass vision panel in a steel frame.

92.13.02.11 Doors and windows shall fit snugly and be weather tight, yet open and close easily.

92.13.02.12 Outside doors, other than required exits, and operable windows shall be equipped with tight-fitting, 16-mesh screens. Screen doors shall be equipped with self-closing devices.

(filed December 29, 1981, effective January 1, 1982)

92.13.03.00 Floors

92.13.03.01 Floors shall be smooth, free from cracks and finished so that they can be easily and properly cleaned. Floors shall be covered wall to wall with water resistant material in wet areas including but not limited to bathrooms, kitchens, utility rooms. (B,C)

92.13.03.02 Thresholds and expansion joints shall be flush with the floor to facilitate use of wheelchairs and carts.

(filed December 29, 1981, effective January 1, 1982)

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92.13.04.00 Walls and Ceiling

92.13.04.01 All rooms occupied or used by residents shall have ceilings not less than eight (8) feet.

92.13.04.02 Corridors, storage rooms, toilet rooms and other minor rooms shall have ceilings not less than seven (7) feet eight (8) inches.

92.13.04.03 Projections located in the path of traffic shall be not less than six (6) feet eight (8) inches above the floor.

92.13.04.04 Materials used for wall construction shall be highly resistant to impact damage.
(filed December 29, 1981, effective January 1, 1982)

92.13.05.00 Mirrors shall be installed above all lavatories except handwashing lavatories in food preparation areas.
(filed December 29, 1981, effective January 1, 1982)

92.13.06.00 Provide paper towel dispensers and waste receptacles at all lavatories.
(filed December 29, 1981, effective January 1, 1982)

92.13.07.00 Interior finish materials (floors, walls and ceilings) shall be either Class A (flame spread 0-25 smoke development 0-450) or Class B (flame spread 26-75 smoke development 0-450).
(filed December 29, 1981, effective January 1, 1982)

92.13.08.00 There shall be at least one (1) approved fire extinguisher in all basements, furnace rooms, kitchens, and laundry rooms. In addition, there shall be at least one fire extinguisher on each floor of the building, located so a person will not have to travel

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more than fifty (50) feet from any point to reach one. They shall be inspected annually and recharged when necessary. The date of checking and recharging shall be recorded on a tag attached to the extinguisher.

(filed December 29, 1981, effective January 1, 1982)

92.13.09.00 Approved containers with proper covers shall be provided for storage of rubbish and waste.

(filed December 29, 1981, effective January 1, 1982)

92.13.09.10 Housekeeping throughout the building, including basements, attics and unoccupied rooms shall be adequately performed to minimize fire hazards.

(filed December 29, 1981, effective January 1, 1982)

92.14.00.00 Section 14 - Exit Facilities and Subdivision of Floor Areas

92.14.01.00 At least two (2) exits, remote from each other, shall be provided for each floor or fire section of the building used by residents. At the upper floor level, at least one of the means of egress shall consist of an enclosed interior stairway, an exterior stairway, or a horizontal exit.

(filed December 29, 1981, effective January 1, 1982)

92.14.02.00 Exits shall be so located that the entrance door of every resident's bedroom and of every living, dining, and activity room is not more than one hundred (100) feet along the line of travel to the nearest exit. This distance may be increased up to one hundred fifty (150) feet if the entire building is protected by a complete automatic sprinkler.

(filed December 29, 1981, effective January 1, 1982)

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92.14.03.00 Any basements used by residents for such purposes as recreation, group meetings, dining, or laundry shall be provided with two (2) means of exit. At least one of the exits shall have direct access to the outside of the building.
(filed December 29, 1981, effective January 1, 1982)

92.14.04.00 Fire escape stairs shall not be accepted as constituting any part of the required means of egress for new buildings.
(filed December 29, 1981, effective January 1, 1982)

92.14.05.00 Corridor length between smoke stop partitions, horizontal exits, or from either, to the end of the corridor on any resident's sleeping floor shall not exceed one hundred and fifty (150) feet.
(filed December 29, 1981, effective January 1, 1982)

92.14.06.00 All corridors and passages to be used as a means of exit, or part of means of exit, shall not lead through any room or space used for a purpose that may obstruct free passage.
(filed December 29, 1981, effective January 1, 1982)

92.14.07.00 Means of egress shall be so arranged that there are no dead end pockets, hallways, corridors, passageways, or courts whose depth exceeds twenty (20) feet.
(filed December 29, 1981, effective January 1, 1982)

92.14.08.00 Corridor walls shall have a fire-resistive rating of at least one hour. Corridor walls may terminate at the underside of the ceiling.
(filed December 29, 1981, effective January 1, 1982)

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92.15.00.00 Section 15 - Stairways, and Vertical Openings

92.15.01.00 Interior stairways shall be enclosed with construction having a 1-hour fire resistance rating, exit directly to outside grade and have door at all floors.
(filed December 29, 1981, effective January 1, 1982)

92.15.02.00 Light or ventilation shaft, chute and other vertical opening between stories shall be enclosed with construction having a 1-hour fire resistance rating.
(filed December 29, 1981, effective January 1, 1982)

92.15.03.00 Every facility shall have stairways with a minimum headroom of six (6) feet, eight (8) inches and a maximum height of twelve (12) feet between landings; a minimum clear width of three (3) feet, except handrails which may project not more than three and one-half (3½) inches on each side, handrail is required only on side of stair; width of treads exclusive of nosing or projection not less than nine (9) inches and risers of not more than eight (8) inches. Stairways with triangular or winding treads or single risers are not acceptable.
(filed December 29, 1981, effective January 1, 1982)

92.15.04.00 Every stairway shall have a landing that is at least as deep as the width of the stairway door.
(filed December 29, 1981, effective January 1, 1982)

92.15.05.00 There shall be no enclosed usable space under stairs in an exit enclosure nor shall the open space under such stairs be used for any purpose.
(filed December 29, 1981, effective January 1, 1982)

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92.15.06.00 Means of egress such as stairs, stair landings, balconies, ramps and aisles, located along the edge of open-sided floors and mezzanines, shall have guardrails to prevent falls over the open side. Each new stair shall have handrails on at least one side.

(filed December 29, 1981, effective January 1, 1982)

92.16.00.00 Section 16 - Hazardous Areas

92.16.01.00 Walls at enclosure of hazardous areas shall have a one-hour fire resistive rating. Doors at enclosure of hazardous areas shall be a minimum three-fourth (3/4) hour "C" label, with automatic closer. Hazardous areas include the following:

Kitchens

Furnace and heater rooms

Laundries

Rooms or spaces, including repair shops, used for the storage of combustible supplies and equipment in quantities deemed hazardous by the authority having jurisdiction.

(filed December 29, 1981, effective January 1, 1982)

92.17.00.00 Section 17 - Structural

92.17.01.00 The buildings and all parts thereof shall be of sufficient strength to support all dead, live, and lateral loads without exceeding the working stresses permitted for the materials of their construction in generally accepted good engineering practice.

(filed December 29, 1981, effective January 1, 1982)

92.17.02.00 Special Provisions

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92.17.02.01 Special provision shall be made for loads which have a greater load than the specified minimum live load, including partitions which are subject to change of location.

92.17.02.02 Consideration shall be given to structural members and connections of structures which may be subject to earthquakes or tornadoes.
(filed December 29, 1981, effective January 1, 1982)

92.17.03.00 Foundations shall rest on natural solid ground and shall be carried to a depth of not less than one foot below the estimated frost line.
(filed December 29, 1981, effective January 1, 1982)

92.17.04.00 Assumed live loads shall be in accordance with the ICBO Uniform Building Code.
(filed December 29, 1981, effective January 1, 1982)

92.18.00.00 Section 18 - Mechanical Systems

92.18.01.00 Mechanical systems shall be tested, balanced, and operated to demonstrate that the installation and performance of these systems conform to the requirements of these standards.
(filed December 29, 1981, effective January 1, 1982)

92.18.02.00 Upon the completion of the contract, the owner shall be furnished with a complete set of manufacturer's operating and preventative maintenance instructions, parts list with numbers and descriptions for each piece of equipment and a copy of the air-balance report. A complete set of these documents shall be kept on the premises.
(filed December 29, 1981, effective January 1, 1982)

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92.18.03.00 The owner shall be provided with instructions in the operational use of the systems and equipment as required.
(filed December 29, 1981, effective January 1, 1982)

92.18.04.00 A design temperature of 75°F for both summer and winter design conditions shall be provided for all patient use areas including corridors.
(filed December 29, 1981, effective January 1, 1982)

92.18.05.00 All ventilation supply, return and exhaust systems shall be mechanically operated.
(filed December 29, 1981, effective January 1, 1982)

92.18.06.00 Air conditioning and ventilation systems shall be designed, installed and maintained as required by National Fire Prevention Association Standard 90A or 90B, depending on the size of the facility.
(filed December 29, 1981, effective January 1, 1982)

92.19.00.00 Section 19 - Plumbing Systems

92.19.01.00 All plumbing systems shall be designed and installed in accordance with the requirements of the "Illinois State Plumbing Code" except that the number of water closets, lavatories, bathtubs, showers, and other fixtures shall be as required by these Standards and the Facility program.
(filed December 29, 1981, effective January 1, 1982)

92.19.02.00 Plumbing fixtures shall be of nonabsorptive acid-resistant materials.
(filed December 29, 1981, effective January 1, 1982)

92.19.03.00 Shower bases and tub bottoms shall be provided with nonslip surfaces.
(filed December 29, 1981, effective January 1, 1982)

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92.19.04.00 Water supply systems shall be designed to supply water at sufficient pressure and volume to operate all fixtures and equipment during maximum demand periods.
(filed December 29, 1981, effective January 1, 1982)

92.19.05.00 Hot water distribution systems shall be arranged to provide hot water at each hot water outlet at all times. Hot water at shower, bathing and handwashing facilities shall not exceed 110°F.
(filed December 29, 1981, effective January 1, 1982)

92.19.06.00 Water storage tanks shall be fabricated of corrosion resistant metal or lined with noncorrosive material.
(filed December 29, 1981, effective January 1, 1982)

92.19.07.00 Insofar as possible, drainage piping shall not be installed above the ceiling nor installed in an exposed location in food preparation centers, food serving facilities, food storage areas, and other critical areas. Special precautions shall be taken to protect these areas from possible leakage or condensation from necessary overhead piping systems.
(filed December 29, 1981, effective January 1, 1982)

92.20.00.00 Section 20 - Electrical Systems

92.20.01.00 All material including equipment, conductors, controls, and signaling devices shall be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facilities required by these Standards. All materials shall be listed as complying with available standards of Underwriters' Laboratories, Inc. or other similarly established standards.
(filed December 29, 1981, effective January 1, 1982)

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92.20.02.00 All spaces occupied by people, machinery, and equipment within buildings, approaches to and exits from buildings, and parking lots shall have lighting.
(filed December 29, 1981, effective January 1, 1982)

92.20.03.00 Resident's rooms shall have general lighting. At least one light fixture shall be switched at the entrance to each resident room. All switches for control of lighting in resident's sleeping areas shall be of the quiet operating type.
(filed December 29, 1981, effective January 1, 1982)

92.20.04.00 Receptacles (Convenience Outlets) :

92.20.04.01 Each resident bed room shall have duplex grounding type receptacles as follows: At least one located at the head of each bed; one for television if used; and one on another wall. Receptacles are to be located between twelve (12) to thirty (30) inches above the finished floor.

92.20.04.02 Resident bathrooms shall have at least one duplex receptacle.

92.20.04.03 At least one duplex receptacle shall be installed in all corridors.
(filed December 29, 1981, effective January 1, 1982)

92.21.00.00 Section 21 - Fire Alarm and Detection System

92.21.01.00 Provide an approved supervised fire alarm system.
(filed December 29, 1981, effective January 1, 1982)

92.21.02.00 An approved automatic smoke detection system shall be installed on each floor level. Such system shall be installed in accordance with National Fire Protection Association Standard 101, Section 6-3 of the 1976 Life Safety Code, and with National Fire Protection Association Standard 72, 1975. In no case shall smoke detectors be

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spaced further apart than thirty (30) feet on center, or more than fifteen (15) feet from any wall. The automatic smoke detection system shall be electrically interconnected to the fire alarm system.

(filed December 29, 1981, effective January 1, 1982)

92.21.03.00 The fire alarm system shall automatically transmit the alarm to any available municipal fire department by direct private line or through any approved central station.

(filed December 29, 1981, effective January 1, 1982)

92.22.00.00 Section 22 - Emergency Electrical System

92.22.01.00 An emergency electrical service, which may be battery operated if effective for 4 or more hours, shall provide services as follows:

1. Illumination of means of egress
2. Fire detection and alarm system
3. Telephone service

(filed December 29, 1981, effective January 1, 1982)

92.23.00.00 Section 23 - Fire Protection

92.23.01.00 The Department, or upon request the Fire Prevention Division of the Office of the State Fire Marshal, will make inspections for fire safety and compliance with these Standards. The Fire Prevention Division shall call to the attention of the Department of Public Health any violations of these standards pertaining to fire protection found during a requested inspection. The Department, or upon request the Fire Prevention Division, shall be privileged to make as many subsequent visits as deemed necessary by the Department for assurance of compliance.

(filed December 29, 1981, effective January 1, 1982)

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DIVISION 93

DIVISION 93 DESIGN AND CONSTRUCTION STANDARDS FOR
EXISTING COMMUNITY LIVING FACILITIES

93.01.00.00 Section 1 - Applicability of Standards

93.01.01.00 These standards shall apply to all existing Community Living Facilities and all minor alterations or remodeling changes to existing structures that are in conformance with construction type and height. See Division 92 for New Construction and Major Additions and Alterations.

93.01.01.01 Minor alterations or remodeling changes which do not affect the structural integrity of the building, which do not change functional operations, which do not affect fire safety, and which do not add beds or facilities over those for which the Community Living Facility is licensed need not be submitted for drawing approval. However, the Health Facilities Planning Board Requirements must be met for all alteration and remodeling projects.

(filed December 29, 1981; effective January 1, 1982)

93.02.00.00 Section 2 - Codes and Standards

93.02.01.00 Nothing stated herein shall relieve the sponsor from compliance with building codes, ordinances and regulations which are enforced by City, County or other local jurisdictions.

(filed December 29, 1981, effective January 1, 1982)

93.02.02.00 The following codes which were effective at the date of approval by the Department of the final drawings and specifications or the final inspection of the building apply:

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93.02.02.01 Illinois State Plumbing Code
 Department of Public Health
 Environmental Health Protection

93.02.02.02 Accessibility Standards for the Handicapped
 Capitol Development Board

93.02.02.03 Rules and Regulations for Fire Prevention and
 Safety
 Office of State Fire Marshal

93.02.02.04 Rules and Regulations for Food Service
 Sanitation
 Department of Public Health
 Environmental Health Protection

93.02.02.05 State of Illinois Safety Glazing Materials
 Act, 1971
 Department of Labor

93.02.02.06 These IDPH Standards govern in cases of
 difference between these IDPH Standards and
 the Codes and Standards listed before.
 (filed December 29, 1981, effective January 1, 1982)

93.03.00.00 Section 3 - Preparation of Drawings and
 Specifications

93.03.01.00 Drawings and specifications which are
 prepared for work which is required by these
 Standards shall be prepared in accordance
 with 92.03.00.00 of the Construction
 Standards for New Community Living
 Facilities.
 (filed December 29, 1981, effective January 1, 1982)

93.04.00.00 Section 4 - Site

93.04.01.00 Each facility shall comply with all
 applicable zoning ordinance and be located
 on a reasonably flat or rolling,
 well-drained site that is: not subject to

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flooding; reasonably free from sources of excessive noise, noxious or hazardous smoke or fumes; not in a deteriorated, unpleasant, or potentially hazardous area; and not near uncontrolled sources of insect and rodent breeding.

(filed December 29, 1981, effective January 1, 1982)

93.04.02.00 Each facility shall be located in or near a community which can provide the necessary supportive services for the facility such as physicians' services, medical facilities, public utilities, or other acceptable substitutes; and be located on a well-maintained, all-weather road.

(filed December 29, 1981, effective January 1, 1982)

93.04.03.00 Each facility shall be located in a section of the community conveniently accessible to reach public transportation, parks, churches, shopping and other community resources which will be beneficial in the residents' training program toward independent living.

(filed December 29, 1981, effective January 1, 1982)

93.04.04.00 Each facility shall be served by a potable water supply with water pressure and volume that is acceptable to this Department.

(filed December 29, 1981, effective January 1, 1982)

93.04.05.00 The distance from the fire station, the accessibility of the facility, and capability of the fire department must be approved in writing by the Office of the State Fire Marshal.

(filed December 29, 1981, effective January 1, 1982)

93.04.06.00 Each facility shall have at least one (1) municipal or private fire hydrant, located within three hundred (300) feet of the building and satisfactory for use by the equipment of the fire department serving the

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building, or have an acceptable equivalent. Additional hydrants may be required if needed to properly protect the residents from fire hazards.

(filed December 29, 1981, effective January 1, 1982)

93.05.00.00 Section 5 - Administration and Public Areas

93.05.01.00 Facilities for the physically handicapped (public, staff and residents) shall be provided in administration and public areas as well as in resident areas.

(filed December 29, 1981, effective January 1, 1982)

93.05.02.00 Each facility shall be provided with sufficient space for clerical, financial and managerial functions.

(filed December 29, 1981, effective January 1, 1982)

93.05.03.00 Each facility shall be provided with a toilet room with a water closet and lavatory for staff and visitors.

(filed December 29, 1981, effective January 1, 1982)

93.06.00.00 Section 6 - Bedrooms

93.06.01.00 Each single bedroom used for a resident shall have at least seventy (70) square feet of usable net floor area, not including any space taken up for closets, wardrobes, bathrooms, and clearly definable entryway areas.

(filed December 29, 1981, effective January 1, 1982)

93.06.02.00 Each multiple bedroom used for residents shall have for each resident housed in the room at least sixty (60) square feet of usable floor area. Usable area does not include any space utilized for closets, wardrobes, bathrooms, and clearly definable entryway areas. Maximum room capacity shall be two (2) residents. There shall be a three (3) foot minimum distance between beds.

(filed December 29, 1981, effective January 1, 1982)

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93.06.03.00 Resident bedrooms shall have an entrance directly off an exit corridor or may be part of an apartment suite (bedrooms, toilet, living/dining room and residential kitchen) having an entrance to an exit corridor.

93.06.03.01 Entrance door to an apartment suite or a resident bedroom shall swing into the room.

93.06.03.02 No room that opens into a central kitchen or necessitates passing through a central kitchen shall be used as a resident bedroom.
(filed December 29, 1981, effective January 1, 1982)

93.06.04.00 Each room used as a resident bedroom shall have at least one (1) outside window, and a total window area to the outside equal to at least one-tenth (1/10) the floor area of the room.
(filed December 29, 1981, effective January 1, 1982)

93.06.05.00 Each bedroom shall have adequate and satisfactory artificial light.
(filed December 29, 1981, effective January 1, 1982)

93.06.06.00 Each resident shall have access to a toilet room.
(filed December 29, 1981, effective January 1, 1982)

93.06.07.00 Provide a closet or wardrobe of at least four (4) square feet for each resident.
(filed December 29, 1981, effective January 1, 1982)

93.06.08.00 Each bedroom floor shall be no more than three (3) feet below the adjacent ground level.

93.06.08.01 Below grade bedroom shall be designed to maintain a dry and comfortable environment.
(filed December 29, 1981, effective January 1, 1982)

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93.06.09.00 The furniture in the room shall be so arranged, even if it reduces the bed capacity of the room, so that the bed, bedside stand and chair for each resident will be reasonably well arranged.

(filed December 29, 1981, effective January 1, 1982)

93.07.00.00 Section 7 - Nurses Station

93.07.01.00 A nurses station is not a requirement, but provision for twenty-four (24) hour staff supervision shall be provided within each unit. (See Division 84)

(filed December 29, 1981, effective January 1, 1982)

93.08.00.00 Section 8 - Bath and Toilet Rooms

93.08.01.00 Provide a minimum of one (1) water closet, one (1) lavatory and one (1) bathtub or shower for each sex on each floor occupied by residents.

93.08.01.01 Provide bathroom fixtures in the following minimum numbers. The number of resident beds shall be used in determining the number of bathroom fixtures required, irrespective of the fact that some of the beds may not be occupied.

93.08.01.02 Provide one (1) lavatory and one (1) water closet for each six (6) resident beds on each floor.

93.08.01.03 Provide one (1) bathtub or shower for each eight (8) resident beds on each floor, which is not otherwise served by bathing facilities adjacent to the resident room.

(filed December 29, 1981, effective January 1, 1982)

93.08.02.00 Each tub or shower shall be in an individual room or enclosure which provides space for the private use of the bathing fixture, and for drying and dressing.

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93.08.02.01 Showers shall be at least 3'-0" square.
(filed December 29, 1981, effective January 1, 1982)

93.09.00.00 Section 9 - Living, Dining Room, and Activity Room(s)

93.09.01.00 These rooms shall be so located that the room is not an entrance vestible from the out-of-doors, nor an obstruction to traffic in and out of the facility.
(filed December 29, 1981, effective January 1, 1982)

93.09.02.00 Provide at least one (1) comfortable furnished living room on each floor.

93.09.02.01 The minimum floor space for a living room shall be eighty (80) square feet. The living room shall have a total window area of at least one-tenth (1/10) the floor area.

(filed December 29, 1981, effective January 1, 1982)

93.09.03.00 Provide a dining room with sufficient area to properly and comfortable seat the residents it serves.

(filed December 29, 1981, effective January 1, 1982)

93.09.04.00 The combined area of the living, dining, and activity rooms shall be not less than fifteen (15) square feet per resident bed.

(filed December 29, 1981, effective January 1, 1982)

93.10.00.00 Section 10 - Kitchen

93.10.01.00 Provide a central kitchen or residential kitchen properly located for efficient food service, and large enough to accommodate the equipment and personnel needed to prepare and serve properly the number of meals required as determined by the Department. The size of kitchens shall be approximately ten (10) square feet per resident bed.

(filed December 29, 1981, effective January 1, 1982)

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93.10.02.00 Provide kitchen equipment in an arrangement for convenient operation, good sanitation, healthful working conditions and control of heat, noise, and odors.
(filed December 29, 1981, effective January 1, 1982)

93.10.03.00 Provide appropriate equipment for the preparation and serving of meals.
(filed December 29, 1981, effective January 1, 1982)

93.10.04.00 Provide refrigeration of perishable foods.
(filed December 29, 1981, effective January 1, 1982)

93.10.05.00 Provide a two (2) compartment sink equipped with drain boards. One (1) compartment is for washing dishes and the other is for rinsing and sanitizing them. The compartment for sanitizing shall be sufficiently deep to allow complete submersion of all items washed. A domestic type dishwashing machine equipped with sanitizing features is required for kitchens serving more than ten (10) residents.
(filed December 29, 1981, effective January 1, 1982)

93.10.06.00 The central kitchen shall be provided with a handwashing lavatory.
(filed December 29, 1981, effective January 1, 1982)

93.10.07.00 The walls and ceilings of all food handling rooms shall be finished with smooth, washable, light-colored surfaces.
(filed December 29, 1981, effective January 1, 1982)

93.10.08.00 All openings to the outside shall be effectively screened during fly seasons, and screen doors shall be equipped with self-closing devices; or a satisfactory alternative method.
(filed December 29, 1981, effective January 1, 1982)

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93.10.09.00 The central kitchen shall be located so that no resident must pass through it to reach a bathroom, resident's bedroom, the living room, dining room, or the out-of-doors.

(filed December 29, 1981, effective January 1, 1982)

93.11.00.00 Section 11 - Laundry Room

93.11.01.00 Provide a laundry room equipped with appropriate and satisfactory type equipment of a design to meet the needs of the facility unless a commercial laundry is used.

(filed December 29, 1981, effective January 1, 1982).

93.11.02.00 Laundry facilities shall not be located in rooms used for food storage, preparation, or serving.

(filed December 29, 1981, effective January 1, 1982)

93.12.00.00 Section 12 - Housekeeping and Storage

93.12.01.00 Sufficient janitor's closets shall be provided throughout the facility as required to maintain a clean and sanitary environment. Each shall contain a floor receptor or service sink and storage space for housekeeping equipment and supplies. Space(s) for large housekeeping equipment and for back-up supplies may be centrally located.

(filed December 29, 1981, effective January 1, 1982)

93.12.02.00 Provide a total area of approximately ten (10) square feet per resident bed for the storage of excess personal possessions of residents and staff, linens, supplies, activity materials and other items. This does not include closets or wardrobes in resident's rooms. Separate storage space with provisions for locking and security control shall be provided for residents personal effects which are not kept in residents bedrooms.

(filed December 29, 1981, effective January 1, 1982)

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93.12.03.00 Provide storage rooms for maintenance supplies, yard equipment, etc.

(filed December 29, 1981, effective January 1, 1982)

93.13.00.00 Section 13 - Building General

93.13.01.00 General

93.13.01.01 Building shall not be a structural part of a long-term care facility or other institutional buildings.

93.13.01.02 Provide a room arrangement that will permit the facility to be divided functionally into single living units for not less than four (4) nor more than twenty (20) residents. Each single living unit shall contain its own living room and dining room.

93.13.01.03 Each facility shall have a maximum capacity of eighty (80) beds.

93.13.01.04 Buildings of one (1) story in height shall be constructed of fire resistive, protected noncombustible, protected ordinary, protected wood frame, heavy timber, or unprotected noncombustible construction. Buildings of fire resistive construction are not limited in height or number of stories. Buildings of two (2) stories or more in height may be of any approvable construction type and must be equipped throughout with an approved automatic extinguishing system, except for fire-resistive construction.

93.13.01.05 All corridors shall be three (3) feet in clear and unobstructed width.

(filed December 29, 1981, effective January 1, 1982)

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93.13.02.00 Doors and Windows

93.13.02.01 Main entrance and exit doors shall swing outward and be provided with door closers.

93.13.02.02 Exit access doors and all doors used by the residents (except toilets) shall be thirty-two (32) inches in width, side-hinged, swinging type.

93.13.02.03 The doors for the toilet rooms used by residents shall have a minimum door width of thirty-two (32) inches.

93.13.02.04 Resident toilet rooms shall open directly into a corridor or into a resident's bedroom.

93.13.02.05 No toilet or bathroom door shall be provided with hardware which could allow a resident to become locked in the room. All toilet or bathroom doors and hardware shall be designed to permit emergency egress from the room.

93.13.02.06 Locks installed on resident bedroom and apartment suite doors shall be so arranged that they can be quickly and easily unlocked from the corridor side. All such locks shall be arranged to permit exit from the room by a simple operation without the use of a key. The door may be lockable by the occupant if the door can be unlocked from the corridor side and the keys are carried by the attendants at all times.

93.13.02.07 All doors to bedrooms and exit corridors shall be at least one and three-eights (1 3/8) inches thick solid core wood or equivalent, with latching and without louvers.

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93.13.02.08 Doors that are part of a 2 hour rated fire wall separating sections of a building, or an abutting building, must be at least one and one half (1 1/2) hour, 'B' label and self-closing.

93.13.02.09 Doors in smoke stop partitions shall be at least one and three eights (1 3/8) inch thick solid core wood or equivalent with a wire glass vision panel in a steel frame. The door shall be self-closing and provided with a magnetic hold open device connected to release upon actuation of the fire alarm system.

93.13.02.10 Doors in stairways shall be at least one and three-eights (1 3/8) inches thick solid core wood or equivalent with a wire glass vision panel in a steel frame. The door shall be self-closing and self-latching.

93.13.02.11 Doors and windows shall fit snugly and be weather tight, and shall open and close easily.

93.13.02.12 Outside doors, other than required exits, and operable windows shall be equipped with tight-fitting, 16-mesh screens. Screen doors shall be equipped with self-closing devices.

(filed December 29, 1981, effective January 1, 1982)

93.13.03.00 Floors

93.13.03.01 Floors shall be smooth, free from cracks and finished so that they can be easily and properly cleaned.

93.13.03.02 Floors in bathrooms, kitchens, and utility rooms shall be completely covered with water resistant material.

(filed December 29, 1981, effective January 1, 1982)

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93.13.04.00 Walls and Ceilings

93.13.04.01 All rooms occupied or used by residents shall have ceilings not less than seven (7) feet eight (8) inches.

93.13.04.02 Corridors, storage rooms, toilet rooms and other minor rooms shall have ceilings not less than seven (7) feet six (6) inches.

93.13.04.03 Projections located in the path of traffic shall be not less than six (6) feet eight (8) inches above the floor.

93.13.04.04 Materials used for wall construction shall be highly resistant to impact damage.
(filed December 29, 1981, effective January 1, 1982)

93.13.05.00 Mirrors shall be installed above all lavatories except handwashing lavatories in food preparation areas.
(filed December 29, 1981, effective January 1, 1982)

93.13.06.00 Provide paper towel dispensers and waste receptacles at all lavatories.
(filed December 29, 1981, effective January 1, 1982)

93.13.07.00 Interior finish materials (floors, walls and ceilings) shall be either:
Class A - (Flame spread 0-25
 Smoke development 0-450)
Class B - (Flame spread 26-75
 Smoke development 0-450)
(filed December 29, 1981, effective January 1, 1982)

93.13.08.00 There shall be at least one (1) approved fire extinguisher in all basements, furnace rooms, kitchens, and laundry rooms. In addition, there shall be at least one fire extinguisher on each floor of the building,

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located so a person will not have to travel more than fifty (50) feet from any point to reach one. They shall be inspected annually and recharged when necessary. The date of checking and recharging shall be recorded on a tag attached to the extinguisher.

(filed December 29, 1981, effective January 1, 1982)

93.13.09.00 Approved containers with proper covers shall be provided for storage of rubbish and waste.

(filed December 29, 1981, effective January 1, 1982)

93.13.10.00 Housekeeping throughout the building, including basements, attics, and unoccupied rooms shall be adequately performed to minimize all fire hazards.

(filed December 29, 1981, effective January 1, 1982)

93.14.00.00 Section 14 - Exit Facilities and Subdivision of Floor Areas

93.14.01.00 At least two (2) exits, remote from each other, shall be provided for each floor or fire section of the building used by residents. At the upper floor level, at least one of the means of egress shall consist of an enclosed interior stairway, an exterior stairway, or a horizontal exit.

(filed December 29, 1981, effective January 1, 1982)

93.14.02.00 Exits shall be so located that the entrance door of every resident's bedroom or apartment suite and of every living, dining, and activity room is not more than one hundred (100) feet along the line of travel to the nearest exit. This distance may be increased up to one hundred fifty (150) feet if the entire building is protected by a complete automatic sprinkler system.

(filed December 29, 1981, effective January 1, 1982)

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93.14.03.00 Any basements used by residents for such purposes as recreation, group meetings, dining, or laundry shall be provided with two (2) means of exit. At least one of the exits shall have direct access to the outside of the building.
(filed December 29, 1981, effective January 1, 1982)

93.14.04.00 Fire escape stairs may be accepted as being part of the required means of egress, subject to the approval of the authority having jurisdiction.
(filed December 29, 1981, effective January 1, 1982)

93.14.05.00 Corridor length between smoke stop partitions, horizontal exits, or from either, to the end of the corridor on any resident's sleeping floor shall not exceed one hundred and fifty (150) feet.
(filed December 29, 1981, effective January 1, 1982)

93.14.06.00 All passages to be used as a means of exit, or part of a means of exit, shall not pass through any room or space used for any purpose that may obstruct free passage.
(filed December 29, 1981, effective January 1, 1982)

93.14.07.00 Means of egress shall be so arranged that there are no dead end pockets, hallways, corridors, passageways, or courts whose depth exceeds twenty (20) feet.
(filed December 29, 1981, effective January 1, 1982)

93.14.08.00 Corridor walls shall have a fire-resistive rating of at least one-third (1/3) hour. Corridor walls may terminate at the underside of the ceiling.
(filed December 29, 1981, effective January 1, 1982)

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93.15.00.00 Section 15 - Stairways and Vertical Openings

93.15.01.00 Interior stairways shall be enclosed with construction having one-third (1/3) hour fire resistance rating. It shall exit directly to the outside grade, and have a door at all floors.
(filed December 29, 1981, effective January 1, 1982)

93.15.02.00 Light or ventilation shaft, chute and other vertical openings between stories shall be enclosed with construction having a fire resistance rating at least one-third (1/3) hour.
(filed December 29, 1981, effective January 1, 1982)

93.15.03.00 Every facility shall have stairways with a minimum headroom of six (6) feet, eight (8) inches and a maximum height of twelve (12) feet between landings; a minimum clear width of three (3) feet, except handrails which may project not more than three and one-half (3½) inches on each side, handrail is required only on one side of stair; width of treads exclusive of nosing or projection not less than nine (9) inches and risers of not more than eight (8) inches. Stairways with triangular or winding treads or single risers are not acceptable.
(filed December 29, 1981, effective January 1, 1982)

93.15.04.00 Every stairway shall have a landing that is at least as deep as the width of the stairway door.
(filed December 29, 1981, effective January 1, 1982)

93.15.05.00 There shall be no enclosed usable space under stairs in an exit enclosure, nor shall the open space under such stairs be used for any purpose.
(filed December 29, 1981, effective January 1, 1982)

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93.15.06.00 Means of egress such as stairs, stair landings, balconies, ramps and aisles, located along the edge of open-sided floors and mezzanines, shall have guardrails to prevent falls over the open side.

(filed December 29, 1981, effective January 1, 1982)

93.16.00.00 Section 16 - Hazardous Areas

93.16.01.00 Walls at enclosure of hazardous areas shall have a one-hour fire resistive rating. Doors at enclosure of hazardous areas shall be a minimum of one and three-eights (1 3/8) inch thick solid core wood or equivalent and be self closing.

Hazardous areas include the following:

Kitchens

Furnace and heater rooms

Laundries

Rooms or spaces, including repair shops, used for the storage of combustible supplies and equipment in quantities deemed hazardous by the authority having jurisdiction.

(filed December 29, 1981, effective January 1, 1982)

93.17.00.00 Section 17 - Structural

93.17.01.00 Buildings and all parts thereof shall be maintained structurally to support all dead, live and lateral loads.

(filed December 29, 1981, effective January 1, 1982)

93.17.02.00 Buildings shall be maintained in good repair. Buildings that show signs of distress shall be repaired immediately.

(filed December 29, 1981, effective January 1, 1982)

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93.18.00.00 Section 18 - Mechanical Systems

93.18.01.00 Mechanical systems shall be tested, balanced, and operated to demonstrate that the installation and performance of these systems conform to the requirements of these standards.

(filed December 29, 1981, effective January 1, 1982)

93.18.02.00 Upon the completion of the contract, the owner shall be furnished with a complete set of manufacturers operating and preventative maintenance instructions, parts list with numbers and descriptions for each piece of equipment, and a copy of the air-balance report. A complete set of these documents shall be kept on the premises.

(filed December 29, 1981, effective January 1, 1982)

93.18.03.00 The owner shall be provided with instructions in the operational use of the systems and equipment as required.

(filed December 29, 1981, effective January 1, 1982)

93.18.04.00 A design temperature of 75°F for both summer and winter design conditions shall be provided for all patient use areas including corridors.

(filed December 29, 1981, effective January 1, 1982)

93.18.05.00 All ventilation supply, return and exhaust systems shall be mechanically operated.

(filed December 29, 1981, effective January 1, 1982)

93.18.06.00 Air conditioning and ventilation systems shall be designed, installed and maintained as required by National Fire Protection Association Standard 90A or 90B, depending on the size of the facility.

(filed December 29, 1981, effective January 1, 1982)

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93.19.00.00 Section 19 - Plumbing Systems

93.19.01.00 All plumbing systems shall be designed and installed in accordance with the requirements of the "Illinois State Plumbing Code" except that the number of water closets, lavatories, bathtubs, showers, and other fixtures shall be as required by these Standards and the Facility program.
(filed December 29, 1981, effective January 1, 1982)

93.19.02.00 Plumbing fixtures shall be of non-absorptive acid-resistant materials.
(filed December 29, 1981, effective January 1, 1982)

93.19.03.00 Shower bases and tub bottoms shall be provided with nonslip surfaces.
(filed December 29, 1981, effective January 1, 1982)

93.19.04.00 Water supply systems shall be designed to supply water at sufficient pressure and volume to operate all fixtures and equipment during maximum demand periods.
(filed December 29, 1981, effective January 1, 1982)

93.19.05.00 Hot water distribution systems shall be arranged to provide hot water at each hot water outlet at all times. Hot water at shower, bathing and handwashing facilities shall not exceed 110°F.
(filed December 29, 1981, effective January 1, 1982)

93.19.06.00 Water storage tanks shall be fabricated of corrosion resistant metal or lined with noncorrosive material.
(filed December 29, 1981, effective January 1, 1982)

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93.19.07.00 Insofar as possible, drainage piping shall not be installed above the ceiling nor installed in an exposed location in food preparation centers, food serving facilities, food storage areas, and other critical areas. Special precautions shall be taken to protect these areas from possible leakage of condensation from necessary overhead piping systems.

(filed December 29, 1981, effective January 1, 1982)

93.20.00.00 Section 20 - Electrical Systems

93.20.01.00 All material including equipment, conductors, controls, and signaling devices shall be installed to provide a complete electrical system with the necessary characteristics and capacity to supply the electrical facilities required by these Standards. All materials shall be listed as complying with available standards of Underwriters' Laboratories, Inc. or other similarly established standards.

(filed December 29, 1981, effective January 1, 1982)

93.20.02.00 All spaces occupied by people, machinery, and equipment within buildings, approaches to and exits from buildings, and parking lots shall have lighting.

(filed December 29, 1981, effective January 1, 1982)

93.20.03.00 Resident's rooms shall have general lighting. At least one light fixture shall be switched at the entrance to each resident room. All switches for control of lighting in resident's sleeping areas shall be of the quiet operating type.

(filed December 29, 1981, effective January 1, 1982)

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93.20.04.00 Receptacles (Convenience Outlets)

93.20.04.01 Each resident bed room shall have duplex grounding type receptacles as follows: At least one located at the head of each bed; one for television if used; and one on another wall. Receptacles are to be located between twelve (12) to thirty (30) inches above the finished floor.

93.20.04.02 Resident bathrooms shall have at least one duplex receptacle.

93.20.04.03 At least one duplex receptacle shall be installed in all corridors.
(filed December 29, 1981, effective January 1, 1982)

93.21.00.00 Section 21 - Fire Alarm and Detection System

93.21.01.00 Provide an approved supervised fire alarm system.
(filed December 29, 1981, effective January 1, 1982)

93.21.02.00 An approved automatic smoke detection system shall be installed on each floor level. Such system shall be installed in accordance with National Fire Protection Association Standard 101, Section 6-3 of the 1976 Life Safety Code, and with National Fire Protection Association Standard 72, 1975. In no case shall smoke detectors be spaced further apart than thirty (30) feet on center, or more than fifteen (15) feet from any wall. The automatic smoke detection system shall be electrically interconnected to the fire alarm system.
(filed December 29, 1981, effective January 1, 1982)

93.21.03.00 The fire alarm system shall automatically transmit the alarm to any available municipal fire department by direct private line, or through any approved central station.
(filed December 29, 1981, effective January 1, 1982)

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93.22.00.00 Section 22 - Emergency Electrical System

93.22.01.00. An emergency electrical service, which may be battery operated if effective for 4 or more hours, shall provide services as follows:

1. Illumination of means of egress
2. Fire detection and alarm system
3. Telephone service

(filed December 29, 1981, effective January 1, 1982)

93.23.00.00 Section 23 - Fire Protection

93.23.01.00 The Department, or upon request the Fire Prevention Division of the Office of the State Fire Marshal, will make inspections for fire safety and compliance with these standards. The Fire Prevention Division shall call to the attention of the Department of Public Health any violations of these standards pertaining to fire protection found during a requested inspection. The Department, or upon request the Fire Prevention Division, shall be privileged to make as many subsequent visits as deemed necessary by the Department for assurance of compliance.

(filed December 29, 1981, effective January 1, 1982)

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DIVISION 94 - RESIDENT'S RIGHTS

94.01.00.00 Section 1 - General

94.01.01.00 No resident shall be deprived of any rights, benefits, or privileges guaranteed by law, the Constitution of the State of Illinois or the Constitution of the United States solely on account of his status as a resident of a facility.

94.01.01.01 In addition, every resident shall be provided with all rights guaranteed by the "Mental Health and Developmental Disabilities Code," as amended.
(filed December 29, 1981, effective January 1, 1982)

94.01.02.00 A resident shall be permitted to retain and use or wear his personal property in his immediate living quarters, unless deemed medically inappropriate by a physician and so documented in the resident's clinical record.
(filed December 29, 1981, effective January 1, 1982)

94.01.03.00 If clothing is provided to the resident by the facility it shall be of a proper fit.
(filed December 29, 1981, effective January 1, 1982)

94.01.04.00 The facility shall provide adequate and convenient storage space for the personal property of the resident.
(filed December 29, 1981, effective January 1, 1982)

94.01.05.00 The facility shall provide a means of safeguarding small items of value for its residents in their rooms or in any other part of the facility so long as the residents have daily access to such valuables.
(filed December 29, 1981, effective January 1, 1982)

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94.01.06.00 The facility shall develop procedures for investigating complaints concerning theft of resident's property and shall promptly investigate all such complaints.
(filed December 29, 1981, effective January 1, 1982)

94.01.07.00 The facility administrator shall ensure that married residents residing in the same facility be allowed to reside in the same room within the facility unless there is no room available in the facility or it is deemed medically inadvisable by the resident's attending physician and so documented in the resident's records.
(filed December 29, 1981, effective January 1, 1982)

94.01.08.00 Residents occupying any bedroom shall be of the same sex except in the case of a room occupied by husband and wife.
(filed December 29, 1981, effective January 1, 1982)

94.01.09.00 There shall be no traffic through a resident's room to reach any other area of the building.
(filed December 29, 1981, effective January 1, 1982)

94.01.10.00 Children under sixteen (16) years of age who are related to employees or owners of a facility, and who are not themselves employees of the facility, shall be restricted to quarters reserved for family or employee use except during times when such children are part of a group visiting the facility as part of a planned program, or similar activity.
(filed December 29, 1981, effective January 1, 1982)

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94.01.11.00 A resident may refuse to perform labor for a facility. Performing household chores is not considered to be performing labor for a facility, unless such chores go beyond what would normally be expected from an individual living in their own home.
(filed December 29, 1981, effective January 1, 1982)

94.01.12.00 A resident shall be permitted the free exercise of religion. Upon a resident's request, and if necessary at his expense, the facility administrator shall make arrangements for a resident's attendance at religious services of the resident's choice. However, no religious beliefs or practices, or attendance at religious services, may be imposed upon any resident.
(filed December 29, 1981, effective January 1, 1982)

94.01.13.00 All facilities shall comply with the "Illinois Election Code" as it pertains to absentee voting for residents of licensed long-term care facilities. Ill. Rev. Stat. ch. 111 1/2, par. 3101 et seq.
(filed December 29, 1981, effective January 1, 1982)

94.01.14.00 The facility shall immediately notify the resident's next of kin, representative and physician of the resident's death or when the resident's death appears to be imminent.
(filed December 29, 1981, effective January 1, 1982)

94.01.15.00 The facility shall also immediately notify the resident's family, guardian, representative, conservator and any private or public agency financially responsible for the resident's care whenever emergency situations occur such as accidents, sudden illness, disease, unexplained absences, and other circumstances arise, such as extraordinary resident charges, billings, or related administrative matters.
(filed December 29, 1981, effective January 1, 1982)

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94.01.16.00 Where a resident, a resident's representative or a resident's next of kin believes that an emergency exists each of them, collectively or separately, may file a verified petition to the circuit court for the county in which the facility is located for an order placing the facility under the control of a receiver.

(filed December 29, 1981, effective January 1, 1982)

94.02.00.00 Section 2 - Medical and Personal Care Program

94.02.01.00 A resident shall be permitted to retain the services of his own personal physician at his own expense under an individual or group plan of health insurance, or under any public or private assistance program providing such coverage.

(filed December 29, 1981, effective January 1, 1982)

94.02.02.00 The Department shall not prescribe the course of medical treatment provided to an individual resident by the resident's physician in a facility.

(filed December 29, 1981, effective January 1, 1982)

94.02.03.00 Every resident shall be permitted to obtain from his own physician or the physician attached to the facility complete and current information concerning his medical diagnosis, treatment and prognosis in terms and language the resident can reasonably be expected to understand.

(filed December 29, 1981, effective January 1, 1982)

94.02.04.00 Every resident shall be permitted to participate in the planning of his total care and medical treatment to the extent that his condition permits.

(filed December 29, 1981, effective January 1, 1982)

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94.02.05.00 No resident shall be subjected to experimental research or treatment without first obtaining his informed, written consent. The conduct of any experimental research or treatment shall be authorized and monitored by an institutional review committee appointed by the administrator of the facility where such research and treatment is conducted. The membership, operating procedures and review criteria for institutional review committees shall be prescribed under rules and regulations of the Department.

(filed December 29, 1981, effective January 1, 1982)

94.02.06.00 Every resident shall be permitted to refuse medical treatment and to know the consequences of such action, unless such refusal would be harmful to the health and safety of others and such harm is documented by a physician in the resident's clinical record.

(filed December 29, 1981, effective January 1, 1982)

94.02.07.00 Every resident, resident's guardian, or parent if the resident is a minor shall be permitted to inspect and copy all his clinical and other records concerning his care and maintenance kept by the facility or by his physician.

(filed December 29, 1981, effective January 1, 1982)

94.02.08.00 A resident shall be permitted respect and privacy in his medical and personal care program. Every resident's case discussion, consultation, examination and treatment shall be confidential and shall be conducted discreetly, and those persons not directly involved in the resident's care must have his permission to be present.

(filed December 29, 1981, effective January 1, 1982)

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94.03.00.00 Section 3 - Restraints

94.03.01.00 Neither physical restraints nor confinements shall be employed for the purpose of punishment or for the convenience of any facility personnel. No physical restraints or confinements shall be employed except as ordered by a physician who documents the need for such restraints or confinements in the resident's clinical record.

(filed December 29, 1981, effective January 1, 1982)

94.03.02.00 Safety devices and time-out periods may be employed only when necessary to prevent a resident from injuring himself or others. The physician's written authorization shall specify the precise time periods and conditions in which any restraints and confinements shall be employed.

(filed December 29, 1981, effective January 1, 1982)

94.03.03.00 No chemical, medication or tranquilizer shall be employed by a facility as a restraint or confinement in lieu of or in addition to any physical restraint or confinement. Such chemicals, medications or tranquilizers may only be employed as part of a duly prescribed therapeutic medical treatment program authorized by the resident's physician and documented in the resident's clinical record.

(filed December 29, 1981, effective January 1, 1982)

94.03.04.00 No resident shall be subjected to any behavior modification program which utilizes restraints, confinements, or aversive stimuli of any nature unless and until the informed consent of such resident, resident's guardian, or parent of a minor resident has been obtained.

(filed December 29, 1981, effective January 1, 1982)

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94.04.00.00 Section 4 - Abuse and Neglect

94.04.01.00 An owner, licensee, administrator, employee or agent of a facility shall not abuse or neglect a resident.
(filed December 29, 1981, effective January 1, 1982)

94.04.02.00 A facility employee or agent who becomes aware of abuse or neglect of a resident shall immediately report the matter to the facility program coordinator or house manager.
(filed December 29, 1981, effective January 1, 1982)

94.04.03.00 A facility program coordinator or house manager who becomes aware of abuse or neglect of a resident shall immediately report the matter by telephone and in writing to the resident's representative, or if he is not available then to the Department.
(filed December 29, 1981, effective January 1, 1982)

94.05.00.00 Section 5 - Communication and Visitation

94.05.01.00 Every resident shall be permitted unimpeded, private and uncensored communication of his choice by mail, public telephone or visitation.
(filed December 29, 1981, effective January 1, 1982)

94.05.02.00 The facility program coordinator or house manager shall ensure that correspondence is conveniently received and mailed, and that telephones are reasonably accessible.
(filed December 29, 1981, effective January 1, 1982)

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94.05.03.00 The facility program coordinator or house manager shall ensure that residents may have private visits at any reasonable hour unless such visits are not medically advisable for the resident as documented in the resident's clinical record by the resident's physician.
(filed December 29, 1981, effective January 1, 1982)

94.05.04.00 The facility shall allow daily visiting between 10:00 A.M. and 8:00 P.M. These visiting hours shall be posted in plain view of visitors.
(filed December 29, 1981, effective January 1, 1982)

94.05.05.00 The facility program coordinator or house manager shall ensure that space for visits is available and that facility personnel knock, except in an emergency, before entering any resident's room.
(filed December 29, 1981, effective January 1, 1982)

94.05.06.00 Unimpeded, private and uncensored communication by mail, public telephone, and visitation may be reasonably restricted by a physician only in order to protect the resident or others from harm, harassment or intimidation provided that the reason for any such restriction is placed in the resident's clinical record by the physician and that notice of such restriction shall be given to all residents upon admission.
(filed December 29, 1981, effective January 1, 1982)

94.05.07.00 Notwithstanding regulation 94.05.06.00 above, all letters addressed by a resident to the Governor, members of the General Assembly, Attorney General, judges, state's attorneys, officers of the Department, or licensed attorneys at law shall be forwarded at once to the persons to whom they are addressed without examination by facility

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personnel. Letters in reply from the officials and attorneys mentioned above shall be delivered to the recipient without examination by facility personnel.

(filed December 29, 1981, effective January 1, 1982)

94.05.08.00 Any employee or agent of a public agency, any representative of a community legal services program or any member of a community organization shall be permitted access at reasonable hours to any individual resident of any facility, if the purpose of such agency, program or organization includes rendering assistance to residents without charge, but only if there is neither a commercial purpose nor affect to such access and if the purpose is to do any other the following:

94.05.08.01 Visit, talk with and make personal, social, and legal services available to all residents;

94.05.08.02 Inform residents of their rights and entitlements and their corresponding obligations, under federal and State laws, by means of educational materials and discussions in groups and with individual residents;

94.05.08.03 Assist residents in asserting their legal rights regarding claims for public assistance, medical assistance and social security benefits as well as in all other matters in which residents are aggrieved. Assistance may include counseling and litigation; or

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94.05.08.04 Engage in other methods of asserting, advising and representing residents so as to extend to them full enjoyment of their rights.

(filed December 29, 1981, effective January 1, 1982)

94.05.09.00 No visitor shall enter the immediate living area of any resident without first identifying himself and then receiving permission from the resident to enter. The rights of other residents present in the room shall be respected.

(filed December 29, 1981, effective January 1, 1982)

94.05.10.00 A resident may terminate at any time a visit by a person having access to the resident's living area.

(filed December 29, 1981, effective January 1, 1982)

94.06.00.00 Section 6 - Resident's Funds

94.06.01.00 A resident shall be permitted to manage his/her own financial affairs unless he/she or his/her guardian or if the resident is a minor, his/her parent, authorizes the program coordinator or house manager of the facility in writing to manage such resident's financial affairs under regulations 94.06.03.00 through 94.06.14.00.

(filed December 29, 1981, effective January 1, 1982)

94.06.02.00 The facility shall at the time of admission, provide each resident, or his representative, with a written statement explaining the resident's rights regarding personal funds and listing the services for which the resident will be charged, and obtain a signed acknowledgement from each resident or his representative that he has received the statement.

(filed December 29, 1981, effective January 1, 1982)

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94.06.03.00 The facility may accept funds from a resident for safekeeping and managing, if it receives written authorization from the resident or his guardian; such authorization shall be attested to by a witness who has no pecuniary interest in the facility or its operations, and who is not connected in any way to facility personnel in any manner whatsoever.
(filed December 29, 1981, effective January 1, 1982)

94.06.04.00 The facility shall maintain and allow each resident access to a written record of all financial arrangements and transactions involving the individual resident's funds.
(filed December 29, 1981, effective January 1, 1982)

94.06.05.00 The facility shall provide each resident, or his representative with a written itemized statement at least quarterly, of all financial transactions involving the resident's funds.
(filed December 29, 1981, effective January 1, 1982)

94.06.06.00 The facility shall purchase a surety bond to guarantee the security of resident's funds.
(filed December 29, 1981, effective January 1, 1982)

94.06.07.00 The facility shall keep any funds received from a resident for safekeeping in an account separate from the facility's funds.
(filed December 29, 1981, effective January 1, 1982)

94.06.08.00 The facility shall deposit any funds received from a resident in excess of \$100 in an interest bearing account insured by agencies of, or corporations chartered by, the State or federal government. The

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account shall be in a form which clearly indicates that the facility has only a fiduciary interest in the funds and any interest from the account shall accrue to the resident.

(filed December 29, 1981, effective January 1, 1982)

94.06.09.00 The facility may keep up to \$100 of a resident's money in a non-interest bearing account or petty cash fund, to be readily available for the resident's current expenditures.

(filed December 29, 1981, effective January 1, 1982)

94.06.10.00 The facility shall return to the resident, upon written request, all or any part of the resident's funds given the facility for safekeeping, including the interest accrued from deposits.

(filed December 29, 1981, effective January 1, 1982)

94.06.11.00 The facility shall place any monthly allowance to which a resident is entitled in that resident's personal account, or give it to the resident, unless the facility has written authorization from the resident or the resident's guardian, or if the resident is a minor, his parent, to handle it differently.

(filed December 29, 1981, effective January 1, 1982)

94.06.12.00 Unless otherwise provided by State law, the facility shall upon the death of a resident provide the executor or administrator of the resident's estate with a complete accounting of all the resident's personal property, including any funds of the resident being held by the facility.

(filed December 29, 1981, effective January 1, 1982)

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94.06.13.00 If an adult resident is incapable of managing his funds and does not have a representative or guardian, the facility shall notify the Office of the State Guardian of the Guardianship and Advocacy Commission.

(filed December 29, 1981, effective January 1, 1982)

94.06.14.00 If the facility is sold, the seller shall provide the buyer with a written verification by a public accountant of all residents' monies and properties being transferred, and obtain a signed receipt from the new owner.

(filed December 29, 1981, effective January 1, 1982)

94.07.00.00 Section 7 - Private Right of Action

94.07.01.00 Each resident shall have the right to maintain a private right of action against a facility as described in regulations 94.07.02.00 through 94.07.09.00.

(filed December 29, 1981, effective January 1, 1982)

94.07.02.00 The owner and licensee of a facility are liable to a resident for any intentional or negligent act or omission of their agents or employees which injures the resident.

(filed December 29, 1981, effective January 1, 1982)

94.07.03.00 The licensee shall pay the actual damages, or \$500, whichever is greater, and costs and attorney's fees to a facility resident whose rights as specified in the Act or these Rules and Regulations are violated.

(filed December 29, 1981, effective January 1, 1982)

94.07.04.00 A resident may maintain an action under this Act and these regulations for any other type of relief, including injunctive and declaratory relief, permitted by law.

(filed December 29, 1981, effective January 1, 1982)

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94.07.05.00 Any damages recoverable under regulations 94.07.02.00 through 94.07.09.00, including minimum damages as provided by these regulations, may be recovered in any action which a court may authorize to be brought as a class action pursuant to the Civil Practice Act. The remedies provided in regulations 94.07.02.00 through 94.07.09.00 are in addition to and cumulative with any other legal remedies available to a resident. Exhaustion of any available administrative remedies shall not be required prior to commencement of a suit hereunder.
(filed December 29, 1981, effective January 1, 1982)

94.07.06.00 The amount of damages recovered by a resident in an action brought under regulations 94.07.02.00 through 94.07.09.00 shall be exempt for purposes of determining initial or continuing eligibility for medical assistance under "The Illinois Public Aid Code," as now or hereafter amended, and shall neither be taken into consideration nor required to be applied toward the payment or partial payment of the cost of medical care or services available under "The Illinois Public Aid Code."
(filed December 29, 1981, effective January 1, 1982)

94.07.07.00 Any waiver by a resident or his legal representative of the right to commence an action under regulations 94.07.02.00 through 94.07.09.00, whether oral or in writing, shall be null and void, and without legal force or effect.
(filed December 29, 1981, effective January 1, 1982)

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94.07.08.00 Any party to an action brought under regulations 94.07.02.00 through 94.07.09.00 shall be entitled to a trial by jury and any waiver of the right to a trial by jury, whether oral or in writing, prior to the commencement of an action, shall be null and void, and without legal force or effect.
(filed December 29, 1981, effective January 1, 1982)

94.07.09.00 A licensee or its agents or employees shall not transfer, discharge, evict, harass, dismiss, or retaliate against a resident, a resident's representative, or an employee or agent who makes a report of resident abuse or neglect, brings or testifies in a private right of action, or files a complaint, because of the such action or testimony.
(filed December 29, 1981, effective January 1, 1982)

94.08.00.00 Section 8 - Transfer and/or Discharge

94.08.01.00 The facility shall comply with all of the provisions of "The Mental Health and Developmental Disabilities Code," as amended pertaining to the transfer and/or discharge of residents.

94.09.00.00 Section 9 - Complaint Procedures

94.09.01.00 Any person, agency, association or governmental body may file a complaint with the Department alleging that a Community Living Facility is in violation of the Act or of the rules and regulations promulgated pursuant to the Act.
(filed December 29, 1981, effective January 1, 1982)

94.09.02.00 The Department may conduct an investigation in order to determine if the Community Living Facility is in compliance. If, based on the results of its investigation, the

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Department determines that the Community Living Facility is not in compliance, it shall promptly serve a notice of violation upon the licensee. Such notice of violation shall comply with the requirements described in subsection (3) of Section 8 of the Act. The Department may notify the complainant of its findings.

(filed December 29, 1981, effective January 1, 1982)

94.09.03.00 The complaint, a copy of the complaint, or a record published, released or otherwise disclosed to the Community Living Facility shall not disclose the name of the complainant unless the complainant consents in writing to the disclosure or the investigation results in a judicial proceeding, or unless disclosure is essential.

(filed December 29, 1981, effective January 1, 1982)

94.09.04.00 A licensee or its agents shall not transfer, discharge, evict, harass, dismiss, or retaliate against a resident or an employee or agent who files a complaint under this Section, or who testifies under Section 12 of the Act because of the complaint or testimony.

(filed December 29, 1981, effective January 1, 1982)

94.09.05.00 Any person participating in good faith in the making of a complaint, or in the investigation of such a complaint shall not be deemed to have violated any privileged communication and shall have immunity from any liability, civil, criminal or that otherwise might result as a consequence of making such a complaint. The good faith of any persons making a complaint or participating in the investigation of such a complaint shall be presumed.

(filed December 29, 1981, effective January 1, 1982)

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94.10.00.00 Section 10 - Confidentiality

94.10.01.00 The facility shall comply with all of the provisions of the "Mental Health and Developmental Disabilities Confidentiality Act," as amended.

(filed December 29, 1981, effective January 1, 1982)

94.11.00.00 Section 11 - Facility Implementation

94.11.01.00 The facility shall establish written policies and procedures to implement the responsibilities and rights provided in the Act and these rules and regulations. The policies shall include the procedure for the investigation and resolution of resident complaints under the Act. The policies shall be clear and unambiguous and shall be available for inspection by any person. A summary of the policies and procedures, printed in not less than 12 point type, shall be distributed to each resident and representative.

(filed December 29, 1981, effective January 1, 1982)

94.11.02.00 The facility shall provide copies of these policies and procedures upon request to next of kin, sponsoring agencies, representative payees and the public.

(filed December 29, 1981, effective January 1, 1982)

94.11.03.00 Each resident shall be given a copy of the rights and responsibilities enumerated in the Act and these rules and regulations at the time of admission to a facility. At the time of implementation of the Act each person then residing in a facility shall be given a copy of these rights and responsibilities. If a resident is unable to read such copy, it shall be read to the resident in a language the resident

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understands. In the case of a minor or a person having a guardian, both the resident and the parent or guardian shall be fully informed of these rights and responsibilities.

(filed December 29, 1981, effective January 1, 1982)

94.11.04.00 The resident, resident's representative, guardian, or parent of a minor resident shall acknowledge in writing the receipt from the facility of a copy of all resident rights and a copy of all facility policies implementing such rights.

(filed December 29, 1981, effective January 1, 1982)

94.11.05.00 The facility shall ensure that its staff is familiar with and observes the rights and responsibilities enumerated in the Act and these regulations.

(filed December 29, 1981, effective January 1, 1982)

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APPENDIX A

PROGRAM STANDARDS

The Department of Mental Health and Developmental Disabilities considers the following programs to be appropriate and necessary to assist the mentally retarded resident in a Community Living Facility program toward more independent living.

Social Service shall be provided under the direction and supervision of a registered or a certified social worker. The service must foster maximum personal and social development of the resident and also must foster and facilitate family functioning and effective and satisfactory social and community relationships within the ability of the mentally retarded individual.

Vocational Training shall be provided under the direction and supervision of a qualified vocational counselor or instructor. Qualifications shall be in accordance with the State Department of Personnel job classifications. The program should assist each mentally retarded person to progress as far as he can along the continuum from vocational function to competitive employment and entrance into society.

Activity Therapy should function under the direction of a qualified activity therapist or occupational therapist. Qualifications shall be in accordance with the State Department of Personnel job classifications. Programs should provide for physical and mental health, promote optimal sensorimotor, cognitive, affective and social development. They also should encourage movement from dependent to independent and interdependent functioning and provide for enjoyable use of leisure time.

Psychology should be directed and supervised by a registered psychologist. The service should facilitate, through the application of psychology principles, the optimal development of each mentally retarded individual. The service should provide evaluation and assessment with individual and group therapy and program services related to resident habilitation, staff training, and communication participation.

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Behavior Modification must be under the direction and supervision of a trained professional with a background in behavior modification, if the facility maintains this type of program. Support staff must also have had adequate training and receive appropriate supervision as they conduct and maintain this program. Monies budgeted for the maintenance of token economies or reward systems shall not be used for staff or consultant salaries and/or expenses, nor for the rental or maintenance of facilities.

Training Staff are designated as program support personnel who function in appropriate program areas. They are not meant to provide routine care which is assumed under the basic community living program. These individuals will be assigned to program areas or tasks as the needs of individuals or small groups of residents are considered.

Training services should provide a planned and systematic sequence of instruction in formal and informal activities, based on appropriate evaluation and objectives designed to:

- a. develop skills in performing activities of daily living including self-help, motor skills, and communication;
- b. enhance emotional, personal, and social development;
- c. provide experiences conducive to the acquisition of a positive self-concept and desire to learn; and
- d. provide experiences for gaining useful occupational and prevocational skills.

Transportation is given program consideration because it involves the resident's ability to participate in community work, recreation, and other activities. This is a desirable program activity which should lead to independence and possible return to the community.

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STAFFING .

Staffing shall include at least the following: a program coordinator, a full-time house manager, and the following full or part-time professional staff; social worker, psychologist, activity staff. In a small facility one person may function as the program coordinator and full-time house manager.

Program Coordinator: The program coordinator may be the executive director of a host agency who would serve in lieu of a full-time program coordinator if the size and type of program does not warrant a full-time person.

1. The duties and responsibilities of the program coordinator include: planning, coordinating and participating in the activities of the Community Living Facility; assisting in establishing and implementing procedures for admitting retardates and providing related services; recruiting, supervising, and coordinating activities of staff; arranging for treatment and special diagnostic services when necessary; conducting conferences with staff to develop programs; resolving administrative services when necessary; and keeping staff informed of changes in responsibilities or procedures; interpreting the Community Living Facility program to parents and visitors; establishing liaison with generic community services to facilitate use of such services by project participants; preparing records, recommendations, and reports reflecting Community Living Facility programs and operations; and is responsible for working with the Community Living Facility Advisory Committee. The program coordinator is administratively responsible to the facilities' board of directors.
2. Education and Experience: An appropriate college degree and at least one year of full-time professional experience with the mentally retarded or other handicapped persons. The individual should be experienced in the dynamics of individual and group behavior.

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House Manager

1. The duties and responsibilities of the house manager include: Day to day supervision of the retardates living in the Community Living Facility; in cooperation with the Program Coordinator, assists in planning, coordinating and participating in the activities of the Community Living Facility; being immediately responsible for the residents' health, welfare and safety, as well as for the provision of an appropriate social and vocational program which will lead to a greater degree of independence in living or to independent living status.
2. Education and training: Includes working knowledge of household management, food service, and sanitation with experience in home management and housekeeping; basic knowledge of principles and practices of guiding and training the mentally retarded; basic knowledge of health and safety precautions and first aid methods; ability to keep records; ability to become aware of the specific needs and interests of the mentally retarded and to cope with their social, emotional and intellectual needs; and ability to profit from in-service training.

Social Services: There shall be a full-time or part-time registered or a certified social worker employed by the facility. If the facility does not have a social worker on its staff, it shall have an effective arrangement with a public or private agency to provide professional social service consultation and casework supervision.

The social worker shall make prompt use of information available on health and welfare resources in the community to deal with social problems. The social worker shall review social service data in the resident's permanent record and shall insure that a current social history is on file. This shall be a written part of the resident's permanent record and shall be updated by the social worker as needed.

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The social worker shall, on request of the program coordinator, maintain active contacts with the resident's family and shall assist in community placement when the resident is deemed ready for more independent living. Such placement is to be made in consultation with the facility's psychologist.

Psychological Services: A registered psychologist shall be provided for staff consultation. The consultant shall also provide services to the residents as needed.

A current psychological evaluation (completed within the last year), including an evaluation of the resident's intellectual capacity, should be submitted to the Community Living Facility upon a resident's admission. If such an evaluation has not been completed, the staff psychologist of the Community Living Facility shall make such an evaluation within fifteen (15) days of the resident's admission.

The psychologist shall also be available to staff for consultation regarding the resident's adjustment and behavior within the Community Living Facility. The results of any psychological evaluation and consultation with staff shall become a permanent part of the resident's written record.

Activity Staff: If a facility does not have a qualified recreational therapist, occupational therapist or group social worker on its staff, arrangements shall be made with a person from one (1) or more of the above disciplines to provide consultation to the activities director regarding programming to meet the assessed needs of the residents. This consultant shall assist facility staff in developing an individualized activity program for each resident within fifteen (15) days after the resident's admission to the facility.

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ACTIVITY PROGRAM

1. There shall be a specified planned program of group and individual activities geared to the individual resident's needs. Activities shall be available daily and for a reasonable amount of time. Residents shall be given an opportunity to contribute to planning, preparation, conducting, cleanup, and critique of the program.
2. There shall be a trained staff person responsible for planning and directing the activities program. This person, though not necessarily a full-time employee, shall provide a program that adequately meets the resident's needs and interests. Additional activity personnel shall be provided as necessary to meet the needs of the residents and the program.
3. There shall be written permission given by the resident's physician for the resident to participate in the activity program. Standing orders will be acceptable with individual contraindications noted.
4. The activity program should include, but is not limited to, the following program areas:

Recreational activities (examples: games, both quiet and active; parties; outside entertainment, etc.)

Crafts (applicable to both men and women)

Community activities (examples: resident participation in community activities such as plays; church events; band concerts; tours, etc.)

5. A planned volunteer and/or auxiliary program that supports the activities program shall be encouraged. It shall be under the direction of a staff member in a supervisory capacity.

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Vocational Training Staff: Appropriate to the nature and size of the facility, a clearly designated person or team shall be responsible for the implementation, evaluation, and revision of the facility's vocational program.

Vocational program personnel shall be vocational instructors qualified by the appropriate state agency or tradesmen who have attained at least journeyman status.

The ultimate objectives of the vocational program should be to assist every resident to move as far as he can along the continuum from vocational afunction to remunerative employment, and entry into the mainstream of society as an independent citizen and worker.

The vocational program shall be rendered as follows:

1. Directly, through personal contact between vocational personnel and residents, and
2. Indirectly, through contact between vocational personnel and other persons working with the residents, designed to enhance and facilitate the development and maintenance of a rehabilitative environment.

The vocational program which is made available to the residents in accordance with their needs shall include the following:

1. Vocational adjustment,
2. The formulation of a written vocational objective for each resident,
3. The formulation of a written plan to achieve the stated objective,
4. Implementation of the vocational plan.

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Prevocational services shall be established when needed and should contribute to the development of work readiness. This program should provide for:

1. Vocationally relevant academic instruction,
2. Instruction in the self-help and social skills necessary for vocational success,
3. Instruction and practice in the social skills necessary for maximal independent functioning in the community, such as travel, handling of money, and use of community resources,
4. Orientation into the world of work,
5. Development of work attitudes needed for vocational success,
6. Rotated exploration and tryout of job tasks,
7. Continuation of evaluation of vocational potential.

Vocational training programs shall meet all applicable legal requirements and shall be provided through means such as:

1. Work training stations,
2. Work activity centers,
3. Transitional sheltered workshops,
4. Work-study programs,
5. On-the-job training,
6. Training in the classroom or on the job.

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Appropriate to the nature and size of the facility, provision shall be made for vocational training staff development, through such means as:

1. In-service training,
2. Short-term workshops,
3. Seminars,
4. Attendance at conferences,
5. Visits to other facilities.

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